GOVERNMENT OF NEWFOUNDLAND AND LABRADOR

# REPORT

## OF

# THE TASK FORCE

## ON

# AFFIRMATIVE ACTION

March 1985

NEWFOUNDLAND
PUBLIC SERVICE
COMMISSION

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1985 04 02

The Honourable John F. Collins, F.R.C.P. (E)
President of Treasury Board

The Honourable Haig Young
Minister of Public Works and Services
And
Minister Responsible for the
Public Service Commission

A Task Force was established by Order-in-Council 703-'84 to review and recommend policy relating to Affirmative Action in the Newfoundland Public Service.

On behalf of the Task Force and in compliance with the direction of the Executive Council I am pleased to submit to you the Report of the Task Force.

P. G. WITHERS
Chairman

/gjw

ENCLOSURE

TABLE OF CONTENTS


| | | |
|---|---|---|
| Preface | | i |
| | PART ONE | |
| | INTRODUCTION | |
| Chapter 1 | The Process | 1 |
| Chapter 2 | Affirmative Action - The Concept | 6 |
| | 2.01 The American Experience | 6 |
| | 2.02 The Canadian Experience | 10 |
| | 2.03 Legislation | 12 |
| | 2.04 Current Canadian Public Sector Initiatives | 15 |
| | 2.05 Affirmative Action - Definition | 23 |
| | PART TWO | |
| | AFFIRMATIVE ACTION AND THE NEWFOUNDLAND PUBLIC SERVICE | |
| Chapter 3 | Target Group and Workforce Analysis | 25 |
| | 3.01 Target Group | 25 |
| | 3.02 Women in the Workforce | 28 |
| | 3.03 Newfoundland Public Service: The Need for Affirmative Action | 35 |
| | 3.04 Conclusion | 47 |

| | | | |
|---|---|---|---|
| Chapter 4 | The Issues | | 49 |
| | 4.01 | Classification and Pay, and Equal Pay for Work of Equal Value | 50 |
| | 4.02 | Benefits and Related Issues | 57 |
| | 4.03 | Child Care | 78 |
| | 4.04 | Employment Flexibility | 81 |
| | 4.05 | Recruitment, Selection and Promotion | 86 |
| | 4.06 | Appointments to Boards, Commissions, Corporations and Other Organizations | 91 |
| | 4.07 | Staff Training and Development | 97 |
| | 4.08 | Career Planning and Counselling | 104 |
| | 4.09 | Language | 108 |
| | 4.10 | Sexual Harassment | 110 |
| | 4.11 | Legislation | 112 |
| | 4.12 | Conclusion | 114 |

PART THREE

AFFIRMATIVE ACTION IMPLEMENTATION AND RECOMMENDATIONS

| | | |
|---|---|---|
| Chapter 5 | Accelerated Management Development Program for Women | 115 |
| Chapter 6 | Affirmative Action: Policy and Program Development and Implementation | 118 |
| Chapter 7 | Summary of Recommendations | 135 |

## PREFACE

## THE TASK FORCE ON AFFIRMATIVE ACTION

The Speech from the Throne on March 12, 1984, announced Government's intention to implement an affirmative action program for women in the Newfoundland Public Service. Specifically, the Speech from the Throne stated the following:

> "My Government recognizes the need for greater participation by women in the senior ranks of the Public Service and in professional and managerial positions generally. My Government, conscious of both its role as chief employer in the Province and its commitment to represent males and females equally, will implement an Affirmative Action Program for Women. A number of efforts are planned in the short-term, pending a full policy review of this area. One of the first efforts will be to launch an accelerated management development program for an identified group of women employees, with demonstrated potential for advancement."

Following this announcement, a joint submission was made to Cabinet by the Minister Responsible for the Public Service Commission and the President of Treasury Board. The submission sought approval for the establishment of a Task Force to undertake a full policy review of affirmative action and, as well, for the offering of an accelerated management development program. Order-in-Council 703-'84 subsequently ordered that a Task Force on Affirmative Action be established to be chaired by a representative of the Public Service Commission with representation from Treasury Board, the Department of Labour and Manpower, and other Departments with special concerns and/or expertise in this area. The Task Force was to have a mandate to conduct a full policy review of affirmative action. Specifically, it was to consider the target group, pay and benefits policies, affirmative action programs in other jurisdictions, recruitment criteria, management development and other related issues. It was also to evaluate the entrance requirements for the Accelerated Management Development Program for Women and consult with the Public Service Commission on its co-ordination of the Program. Following its review of these areas, the Task Force on Affirmative Action was to report to Government, recommending appropriate policy direction.

Appointments to the Task Force were made during July, 1984 as follows:

Mr. P. G. Withers (Chairperson)
Chairman
Public Service Commission

Ms. Gladys Courage (Ceased to be a member 1984-09)
Human Rights Officer
Human Rights Commission
Department of Justice

Ms. Barbara Hopkins
Director
Women's Educational Services
Department of Education

Ms. Luanne Leamon
Executive Assistant - Social Policy
Premier's Office

Mr. Brian McDonald
Director
Staff Development and Training
Public Service Commission

Ms. LeeAnn Montgomery
Women's Employment Consultant
Department of Labour and Manpower

Mr. Lloyd Powell
Assistant Secretary (Personnel)
Treasury Board Secretariat

Ms. Rebecca Roome (Executive Secretary)
Personnel Services Officer
Personnel Services Division
Public Service Commission

Fulfilling the mandate of the Task Force was a stimulating and challenging process. The Task Force was assisted in its work by the support of a number of groups and individuals, and wishes to record its appreciation of their input here.

It was essential that the Task Force learn how women perceived Government's understanding of their needs and concerns as female employees. The written and verbal comments submitted by individual women were invaluable in the development of this understanding. The briefs received from the Newfoundland and Labrador Federation of Labour, the Newfoundland Association of Public Employees, the Newfoundland and Labrador Government Managers Association and the Provincial Advisory Council on the Status of Women put women's employment related concerns in a broader context. Input from officials in other jurisdictions provided an historical perspective and a basis for comparison. Research conducted by employees in various sectors of the Newfoundland Public Service facilitated the discussion of affirmative action and related issues in practical rather than solely theoretical terms. Statistical information provided by the Department of Finance was essential in carrying out the workforce analysis which graphically depicts the status of women in the Newfoundland Public Service.

Without input from these and others, the mandate of the Task Force on Affirmative Action could not have been carried out. The Task Force extends its appreciation.

# PART ONE

# INTRODUCTION

## CHAPTER 1 THE PROCESS

Since the appointment of its members in July of 1984, the Task Force on Affirmative Action has been involved in a range of activities related to its mandate. Phase One of the process included information gathering and problem identification, while Phase Two incorporated identification of the issues and formulation of recommendations to Government regarding affirmative action policy.

The Task Force has met on a regular basis holding twenty-two routine meetings in addition to those with representatives of organizations submitting briefs and officials from other jurisdictions.

An early initiative of the Task Force was to inform the Newfoundland and Labrador Federation of Labour, the Newfoundland Association of Public Employees, the Newfoundland and Labrador Government Managers Association and the Provincial Advisory Council on the Status of Women of its formation and mandate. These organizations were invited to acquaint the Task Force with concerns they considered should be addressed. Briefs were received during October and November of 1984, and the

Task Force met with representatives of the groups in November. Input from these organizations was extremely useful, and the Task Force appreciated the information and views expressed both in the written briefs presented and the meetings which followed.

Informative exchanges took place with Ms. Jennifer McQueen, Commissioner, Public Service Commission of Canada, and with Ms. Glenna Carr, Executive Director of the Ontario Women's Directorate. Ms. McQueen met with the Task Force in St. John's on December 7, 1984 and Ms. Carr on January 16, 1985. The experiences of the Federal and the Ontario Governments in implementing affirmative action policy provided a useful framework for the discussions with Ms. McQueen and Ms. Carr. Informal discussions with officials from other jurisdictions were also arranged whenever individual Task Force members travelled outside the Province on other business.

The Task Force on Affirmative Action also requested comments from individual female employees regarding appropriate affirmative action policy. A printed circular was included with all female employees' pay cheques for the period ending October 30, 1984. It briefly described the Task Force's mandate and asked for input. Responses were made to the Task

Force in writing, by telephone and in person. The quality of the responses was excellent, and the content of great assistance to the Task Force.

As a part of the information gathering process, research was carried out in the areas as directed by Order-in-Council 703-'84. The Task Force also identified other areas which it believed warranted further examination. A researcher was hired for a four month period to assist the Task Force in this undertaking. The following activities were finalized in this regard:

(a) All Canadian public sector jurisdictions at the provincial, territorial and federal levels were contacted and requested to provide information regarding their initiatives in the area of affirmative action.

(b) A review was conducted of Newfoundland legislation relating to affirmative action. This included legislation which provides for the establishment of affirmative action programs, and legislation which assigns responsibility for the implementation of affirmative action policy within the Newfoundland Public Service.

(c) Government's benefits policies were examined. While a range of benefits related issues were reviewed, three which generated intense interest were maternity leave, family responsibility leave and employment flexibility. Again, other public sector jurisdictions were surveyed to determine provisions in these areas.

(d) Recruitment and selection patterns within the Newfoundland Public Service were considered.

(e) The classification and pay system currently in use within the Public Service was examined, as was the concept of equal pay for work of equal value.

(f) An analysis of Government's appointments to Boards, Commissions, Corporations and other organizations was conducted.

(g) Language used in Government documents was reviewed.

(h) The participation of female employees in training activities and developmental opportunities was examined, and the need for career planning and counselling services was reviewed.

(i) The Task Force conducted a workforce analysis to establish the relative status of female employees within the Newfoundland Public Service with respect to occupational and salary range distribution and other factors.

Finally, the Task Force was specifically ordered to consult with the Public Service Commission on its co-ordination of the Accelerated Management Development Program for Women. The Task Force therefore invested considerable time and energy in the development of the Program in accordance with the provisions of The Newfoundland Human Rights Code.

Each of these areas is described in detail in the Chapters which follow. Chapter Two discusses the concept of affirmative action, while Chapter Three outlines the workforce analysis. Chapter Four deals with affirmative action related issues in the Newfoundland Public Service. Chapter Five describes the Accelerated Management Development Program for Women, and Chapter Six specifies the Task Force's recommendations regarding the implementation of affirmative action policy within the Public Service. A summary of the Task Force's recommendations is contained in Chapter Seven.

## CHAPTER 2 AFFIRMATIVE ACTION - THE CONCEPT

The term "affirmative action" has only become incorporated in everyday language comparatively recently. However, special measures to ensure the participation of designated groups in the workforce have existed for some time. The preferential hiring of war veterans is an example, as is the preferential hiring of residents of the Province in the offshore industry. Extraordinary initiatives such as these on behalf of particular groups indicate society's willingness to recognize and accept the need to remove barriers to employment to ensure equality of opportunity for all.

### 2.01 The American Experience

The phrase "affirmative action" was first coined in the United States, and the American experience has to some extent influenced the Canadian approach to the achievement of equality of opportunity in employment.

The concept of affirmative action is relatively new, originating during the 1960's with the American Government's

initiatives to end discrimination in employment. In March of 1961, President John F. Kennedy issued Executive Order 10925 which established the President's Committee on Equal Employment Opportunity. This Committee was directed to survey the Federal Government's employment practices and recommend "additional affirmative steps" to implement the policy of non-discrimination in employment. The Order also directed employers in the private sector having contracts with the Federal Government to extend this policy by taking,

> "affirmative action - to ensure that applicants are employed, and that employees are treated during employment without regard to their race, creed, colour or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training..."

Responsibility for the implementation of non-discriminatory policy in the United States has shifted in the decades since 1961, and the scope of the policy has expanded. Affirmative action as a concept became entrenched in law with the passage of Title VII of the Civil Rights Act in 1964. It has been advanced with the issuing of Executive Orders subsequent to Kennedy's initial declaration in 1961. Two of particular interest to the Task Force on Affirmative Action were Executive Order 11375, which prohibited discrimination on the basis of sex, and Executive Order 11478, which directed the establishment of an affirmative action program within the Federal Civil Service.

The American experience of affirmative action was significantly influenced by Executive Order 11246, issued in 1972. A company employing more than fifty employees which sought Federal Government contracts in excess of $50,000. was obliged to establish an affirmative action program. The Office of Federal Contract Compliance was established to oversee the implementation of this component of the American Government's employment equity policy. This office was assigned responsibility for compliance reviews, complaint investigations, conciliation efforts, and, where warranted, non-compliance charges.

Consequently, affirmative action in the United States is frequently associated with court action resulting in legislated affirmative action programs and imposed quotas.

Recourse to the legal system either individually or by class action is also an option of American employees who feel they have been discriminated against by their employers.

The implementation of affirmative action in the United States has brought about a more equitable distribution of women and members of other underrepresented groups. However, backlash has been a considerable problem. Charges of reverse discrimination, the use of quota systems and the recruitment of unqualified persons to fill these quotas have been issues of contention. A negative perception of affirmative action has been generated. The Report of the Royal Commission on Equality in Employment released in Ottawa in October 1984 notes that American affirmative action programs have become associated with interventionist policies and with the imposition of quotas. The Report in fact goes on to recommend that because of intellectual resistance and confusion it may be desirable to use the term employment equity rather than affirmative action to describe programs in this country.

## 2.02 The Canadian Experience

Equality of opportunity in employment was recognized as an issue of concern to Canadian women during the 1960's. The Royal Commission on the Status of Women in Canada provided a forum for national discussion of a range of issues relating to women, including employment. Its Report in 1970 made specific recommendations regarding steps to be taken to ensure equality of opportunity for women in employment. High profile was given to the issue, establishing special measures or affirmative action, as appropriate means for achieving employment equity.

Adoption of affirmative action policies by both public and private sector employers in Canada has been largely a voluntary matter. The Federal Government established an equal employment opportunity program for female employees within its jurisdiction in 1971. The Ontario Government set up its Women Crown Employees Office in 1974 to promote the advancement of its female employees. Other jurisdictions have since taken similar initiatives. Although the programs vary, there are common characteristics. Rather than imposed quotas, flexible goals and timetables are established by the organization itself as the means to evaluate program success. Targets are revised to take into account such unforeseen factors as hiring freezes. Another Canadian

difference is that class action suits charging discrimination against employers are not permitted as they are in the United States. There appears to be greater general acceptance of affirmative action as an integral component of human resource planning in Canada and organizations appear increasingly receptive to implementing affirmative action as a part of effective management.

## 2.03 Legislation

Affirmative action in Canada as well as in Newfoundland and Labrador is viewed as a human rights issue. There is a concern that employers treat all their employees in a fair and equitable manner.

Section 15 of The Canadian Charter of Rights and Freedoms states:

> "(1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.
>
> (2) Subsection (1) does not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those that are

> disadvantaged because of race, national or ethnic origin, colour, religion, sex, age or mental or physical disability."

The margin notes to Section 15 (2) use the term "affirmative action".

The Canadian Human Rights Act also provides for the establishment of affirmative action programs. The Canadian Human Rights Commission recently ordered Canadian National to institute an affirmative action program when its investigation revealed that the organization had engaged in employment practices which discriminated against women.

Provincial human rights legislation also contains provision for affirmative action.

Section 15.1 (1) of The Newfoundland Human Rights Code states:

> "On the application of any person the Commission may approve programs designed to prevent, reduce or eliminate disadvantages respecting services, facilities, accommodation

> or employment that may be or are suffered by any group of individuals where those disadvantages would be, or are based on or related to the race, religion, religious creed, sex, marital status, physical disability, mental disability, political opinion, colour, ethnic, national or social origin of members of that group."

The relevance of affirmative action to Canadian society is no longer a matter for debate. Although solidly entrenched in law, however, acceptance of affirmative action as wise corporate human resource policy is still in the developmental stages.

## 2.04 Current Canadian Public Sector Initiatives

A very brief summary of affirmative action initiatives for women in Canadian public sector jurisdictions follows.

The Nova Scotia Government has had a policy on affirmative action since 1975, which applies to visible racial minorities and persons with disabilities as well as to women. Its Civil Service Commission has been assigned responsibility for its administration with the Director and Manager of Staffing having management accountability for the program. Two Affirmative Action officers implement program activities. Those activities related to women include monitoring the staffing process, analyzing data regarding the representation of males and females in the Civil Service, conducting awareness training with clerical staff, and holding briefing sessions with senior departmental staff.

An Equal Employment Opportunity statement was issued by the Government of New Brunswick in May of 1982. A Women's Directorate has recently been established within the Cabinet Secretariat to review policies and procedures preparatory to the development of an affirmative action policy and program

for female employees in the New Brunswick Civil Service. The Assistant Secretary to Cabinet heads the Directorate, which has two Affirmative Action Co-ordinator positions.

The Government of Quebec established a policy of equality in the workplace for women in 1980. Responsibility for the implementation of this policy shifted in 1984 from the Public Service Commission to the Treasury Board, which must report to the National Assembly on a yearly basis regarding the status of the Affirmative Action Program. The Program involves the establishment of annual action plans within Departments including objectives and timeframes, the compilation of statistical data, regular assessment of results, accountability on the part of senior officials and a support system of advisory committees and Affirmative Action Co-ordinators. Staff within the Treasury Board and the Human Resources Office provide Program support and direction.

The Government of Ontario has promoted equal employment opportunity for its female employees for over ten years, although responsibility for implementation of affirmative action policy has changed. The Women's Directorate, established in 1983, has responsibility for overall direction of affirmative action programs in the Ontario Public Service. Deputy Ministers are responsible for the implementation of affirmative action in their Ministries. The Management Board and the Women's Directorate review progress on a regular basis. Each Ministry has an Affirmative Action Program Manager to assist in the implementation of the program.

Ontario notes several achievements during the last decade:

(a) representation has increased in nine of ten occupational groups where women are underrepresented.

(b) female employees now earn on average 76.8 percent of what male employees earn, representing a 5.2 percent overall wage gap decrease since 1974 when the program began.

(c) women's representation in the senior executive group was almost ten percent in 1983-84, as compared with less than four percent in 1974.

(d) the representation of female employees in the administrative module, a key feeder group for senior management, is now thirty percent, double what it was in 1975.

The Ontario Government's commitment to affirmative action has also been extended to other publicly funded sectors, namely school boards, hospitals and municipalities. Other initiatives have been taken in the private sector.

Glenna Carr, Executive Director of the Ontario Women's Directorate summarizes the program elements which she considers have made Ontario's approach to affirmative action successful as follows:

"first, management commitment, involvement and accountability;

second, the establishment of goals and timetables with flexibility to develop individual department or organizational strategies;

third, the monitoring, evaluation and review on an annual basis of the results achieved;

fourth, the creation of a positive environment whereby affirmative action is viewed as an asset to assist and foster good human resources development;

fifth, the active involvement and support of women employees at all levels of the organization;

sixth, the development of good human resource management systems and practices."

The Government of Manitoba, in conjunction with the Manitoba Government Employee's Association, announced its Affirmative Action Policy in June of 1983. Since then, an

Affirmative Action Central Committee has been established. It consists of three Government appointed Deputy Ministers and three representatives named by the Employee's Association, and has developed guidelines for the use of Joint Union/Management Committees in individual Departments in formulating and implementing their respective affirmative action plans. The departmental Affirmative Action Committees are now in the initial stages of carrying out their responsibilities. Accountability for implementation of the plans rests with the Deputy Minister of each Department, working through the Joint Union/Management Committee. Program support is provided by a Provincial Affirmative Action Co-ordinator, Co-ordinators in each Department and the Civil Service Commission. A recent initiative related to the Affirmative Action Policy was a revision of the classification specifications for managers and supervisors to include responsibility and accountability for the implementation of affirmative action.

Saskatchewan's Affirmative Action Programs for female employees are administered by the Public Service Commission, through its recently established Affirmative Action Branch. This Branch comprises staff from the Commission's former Special Programs Unit and the Women's Division of Saskatchewan

Labour. Following an announcement in October 1984, joint union-management committees have begun development of a formal affirmative action plan for submission to the Saskatchewan Human Rights Commission. In the meantime other initiatives have been taken including workforce analyses conducted every two years since 1981, career counselling services and a variety of training activities.

Prince Edward Island, Alberta, British Columbia and the Yukon and Northwest Territories do not have affirmative action policies or programs per se, although informal initiatives in the area of equal employment opportunity have been taken from time to time.

The Federal Government has been involved in various equal employment opportunity initiatives since the early 1970's. The introduction of affirmative action programs for women in the Federal Public Service took place in 1980. At that time, affirmative action pilot projects were implemented in a small number of Departments, which, Commissioner Jennifer McQueen of the Public Service Commission of Canada says "helped... define a distinctively Canadian approach to identification and elimination of discriminatory practices in the workplace".

In June 1983 the Affirmative Action Program was expanded to include the whole of the Federal Public Service. The Program is seen as central to human resource planning and management, and it is the intent that it be integrated with other components of departmental strategic planning. Departments and Agencies are responsible for the development and implementation of their affirmative action plans, while Treasury Board is responsible for the overall implementation of affirmative action policy. The Public Service Commission is responsible for the application of affirmative action policy as it relates to its responsibilities, and provides support and advisory services. Other equal employment opportunity initiatives have been taken during the past ten to fifteen years. The numbers of women in the Management Category and Executive Group are gradually increasing. Female employees are availing of the services offered by the Women's Career Counselling and Referral Bureau, and the names of women are being placed in inventories for management positions. Special efforts have also been made to arrange developmental assignments for women.

A recent development in affirmative action was the tabling of the Report of the Royal Commission on Equality in Employment in October 1984. While the Commission inquired specifically

into the employment practices of eleven Federal Crown and Government-owned Corporations, it made recommendations regarding the promotion of equality in employment for women and other target groups generally. In response to the Report's recommendations, the Federal Government announced in March of 1985 a number of initiatives. Those relating specifically to the Federal Civil Service included intensified implementation of its affirmative action program with a commitment to provide adequate resources to ensure the prompt meeting of goals; the identification of barriers to employment equity within its classification system, and a commitment to implement equal pay for work of equal value in the Federal Public Service.

The Government of this Province has taken a series of initiatives to promote equality of opportunity for women. A Women's Employment Consultant has been appointed and now holds a position in the Department of Career Development and Advanced Studies. In the Department of Education, a Director of Women's Educational Services has been appointed. An Executive Assistant to the Premier advises on matters related to the status of women, among other areas. An Advisory Council on the Status of Women has been appointed. Since the mid 1970's, the Public Service Commission has assigned responsibility for equal employment opportunities to one of its staff, and offered a number of training courses particularly to female employees.

## 2.05 Affirmative Action - Definition

The Task Force on Affirmative Action reviewed a number of definitions of affirmative action. The one which it determines most closely meets the requirements of the Newfoundland Public Service is the following, utilized by the Ontario Ministry of Municipal Affairs and Housing:

> Affirmative Action is a positive process to ensure women are included on an equal and competitive basis for all employment opportunities. It has a practical approach, aimed at the achievement of specific results, and it requires that schedules and goals be established and realized.
>
> An Affirmative Action Program is the means to achieve the goal of equal opportunity. Such a program promotes the education, development and career advancement of women. It ensures that inappropriate employment qualifications

are eliminated and that hiring and promotion is done strictly on the basis of merit. It is an effective management tool to make the best use of all human resources.

# PART TWO

# AFFIRMATIVE ACTION AND THE NEWFOUNDLAND PUBLIC SERVICE

# CHAPTER 3 TARGET GROUP AND WORKFORCE ANALYSIS

## 3.01 Target Group

Order-in-Council 703-'84 specifically directed that the Task Force on Affirmative Action consider which groups should be the targets for Government's Affirmative Action Program. While women had been identified in the March 1984 Speech from the Throne as the focus of Government's Affirmative Action Program, the Task Force was asked to consider other groups which are generally underrepresented in the workforce, including native people and persons with disabilities.

The Task Force noted that affirmative action programs in other public sector jurisdictions frequently develop special measures to increase the representation of a number of target groups. The Task Force, however, decided at an early stage to address only issues affecting women, specifically those which affect female employees of the Newfoundland Public Service. The Task Force observes that women are by far the largest of the target groups, comprising approximately half of the Province's population, just over forty percent of the Province's workforce, and 41.1 percent of the Newfoundland Public Service.

The Task Force on Affirmative Action further emphasizes that for purposes of its deliberations, the target group was defined as only those women normally considered to be direct Government employees. As a result, the Task Force did not expand its review to employees of Crown Corporations or non-Government hospitals and nursing homes.

Many of the issues affecting female employees of the Newfoundland Public Service are of concern to all employees. Therefore, many of the recommendations of the Task Force, although directed at the elimination of barriers to women's equitable representation in the Public Service, will also be relevant to members of other target groups and to Public Service employees generally.

Nevertheless, native people and persons with disabilities may face additional barriers to employment, and the Task Force on Affirmative Action recommends that these be investigated separately. The Task Force has endeavoured to ensure that the general affirmative action principles and policies which it is enunciating are applicable in principle to programs for all underrepresented groups including native people and persons with disabilities. Therefore, the Task Force considers that the implementation of its recommendations will, in the long-term, benefit employees generally.

The Task Force on Affirmative Action makes the following recommendations regarding Government's affirmative action initiatives.

i) THAT GOVERNMENT ESTABLISH AN AFFIRMATIVE ACTION PROGRAM FOR WOMEN.

ii) THAT THE COMMITMENT OF GOVERNMENT TO AFFIRMATIVE ACTION FOR WOMEN BE EXTENDED TO CROWN CORPORATIONS AND AGENCIES AND TO OTHER INSTITUTIONS RECEIVING SIGNIFICANT GOVERNMENT FUNDING.

iii) THAT GOVERNMENT HAVE AS A PRIORITY THE DEVELOPMENT OF AFFIRMATIVE ACTION POLICIES AND PROGRAMS FOR NATIVE PEOPLE AND PERSONS WITH DISABILITIES.

## 3.02 Women in the Workforce

Women are entering the workforce in ever increasing numbers. The Report of the Royal Commission on Equality in Employment notes that Canadian female labour force participation rates have increased from about thirty percent in 1960, to almost fifty-two percent in 1982, and that in 1982 women constituted forty-one percent of the total labour force. In this Province, Statistics Canada figures for February 1985 indicate that over forty percent of the workforce is made up of women. The Royal Commission Report makes several observations about the participation of women in the workforce:

> "Women of all ages have accounted for the greater part of the labour force growth... Between 1966 and 1982, the male labour force grew by 35.6 percent, the female labour force by 119.4 percent... The female participation profile is now becoming similar to the male profile... The expectation is that while little change will occur in Canada in male labour force participation, female labour force participation will continue to increase...

Until the 1970's, women's unemployment rates were below men's unemployment rates. From 1969 to 1981 inclusive, female unemployment rates exceeded male unemployment rates.

The occupational and industrial structure of the labour force has changed significantly...women, however, are still largely clustered in traditional "female" white-collar and service occupations.

Although in some occupations some of the disparity in male-female earnings had narrowed, the 1981 Census data showed that women were substantially underrepresented in high-income occupations and that generally their earnings were significantly below male earnings... In 1982...female earnings were...63.9 percent of male earnings."

Current trends, then, indicate that women are in the workforce and are prepared to stay.

Their participation in post-secondary studies is a further indication of young women's intent to participate in the paid workforce. In 1984, women outnumbered the male graduates of the Memorial University of Newfoundland, as there were 944 women and 919 men. During 1984, 367 women and 716 men graduated from programs offered by the College of Trades and Technology. In both institutions, there remain courses of study which are male or female dominated. However, women are well represented among Memorial University's Business and Medicine graduates, and among the College's Computer Studies, Accounting, Business Administration and Pharmacy Programs, among others. Tables A and B contain details regarding graduation of males and females from these programs.

TABLE A

MEMORIAL UNIVERSITY OF NEWFOUNDLAND

1984 GRADUATES

| Degree Program | Female | Male | Female Percentage of Total* |
|---|---|---|---|
| Anthropology | 3 | 7 | 30% |
| Biochemistry | 5 | 12 | 29% |
| (Dietetics) | 1 | 0 | 100% |
| (Food Science) | 0 | 2 | 0% |
| Biology | 21 | 32 | 40% |
| (Marine) | 3 | 3 | 50% |
| (Experimental) | 1 | 3 | 25% |
| Business | 71 | 83 | 46% |
| Chemistry | 4 | 7 | 36% |
| Computer Science | 21 | 40 | 34% |
| Economics | 12 | 22 | 35% |
| Education | | | |
| (Elementary) | 122 | 60 | 67% |
| (High School) | 99 | 143 | 41% |
| (Primary) | 102 | 1 | 99% |
| Special Education | 33 | 8 | 80% |
| Vocational Education | 18 | 10 | 64% |
| Graduate Education Programs: | | | |
| Curriculum and Instruction | 9 | 8 | 53% |
| Education Administration | 10 | 26 | 28% |
| Education Psychology | 2 | 5 | 29% |
| Education Foundations | 1 | 1 | 50% |
| Education Learning Resources | 1 | 6 | 14% |
| Engineering | 1 | 17 | 6% |
| (Civil) | 2 | 14 | 13% |
| (Electrical) | 1 | 30 | 3% |
| (Mechanical) | 1 | 25 | 4% |
| (Ship Building) | 0 | 6 | 0% |
| English | 53 | 37 | 59% |
| Geology | 9 | 28 | 24% |
| Geophysics | 0 | 3 | 0% |
| Folklore | 3 | 1 | 75% |

| Degree Program | Female | Male | Female Percentage of Total* |
|---|---|---|---|
| French | 30 | 5 | 86% |
| Geography | 7 | 40 | 15% |
| History | 9 | 29 | 32% |
| Linguistics | 2 | 1 | 67% |
| Math | 6 | 15 | 29% |
| Medicine | 23 | 30 | 43% |
| Medical Science | 31 | 25 | 55% |
| Music | 12 | 6 | 67% |
| Music/Education | 10 | 6 | 63% |
| Nursing | 59 | 0 | 100% |
| Philosophy | 2 | 5 | 29% |
| Physics | 2 | 14 | 13% |
| Political Science | 9 | 20 | 31% |
| Physical Education | 11 | 23 | 32% |
| Psychology | 42 | 20 | 70% |
| Religious Studies | 6 | 12 | 33% |
| Sociology/Anthropology | 5 | 3 | 63% |
| Sociology | 25 | 10 | 71% |
| Social Work | 39 | 9 | 81% |
| Statistics | 5 | 6 | 45% |
| Totals | 944 | 919 | 51% |

* All percentages rounded to nearest whole number

Source: Registrar's Office, Memorial University of Newfoundland

TABLE B

COLLEGE OF TRADES AND TECHNOLOGY

1984 GRADUATES

| Pre Employment | Male | Female | Female Percentage of Total* |
|---|---|---|---|
| Barber Stylist | 3 | 7 | 70% |
| Beauty Culture | 0 | 26 | 100% |
| Bricklaying | 11 | 0 | 0% |
| Carpentry | 15 | 0 | 0% |
| Clerk Accounting | 8 | 12 | 60% |
| Clerk Typing | 0 | 14 | 100% |
| Commercial Art | 4 | 9 | 69% |
| Commercial Cooking | 20 | 4 | 17% |
| Computer Data Entry | 3 | 41 | 93% |
| Basic Electrical | 13 | 0 | 0% |
| Basic Electronics | 19 | 0 | 0% |
| Industrial Electronics | 4 | 0 | 0% |
| Heavy Equipment Repair | 13 | 0 | 0% |
| Hotel/Motel/Restaurant | 6 | 12 | 67% |
| Machinist | 14 | 0 | 0% |
| Meat Cutting | 17 | 0 | 0% |
| Med Lab Assistant | 3 | 10 | 77% |
| Millwright | 14 | 0 | 0% |
| M.V.R. Body | 9 | 0 | 0% |
| M.V.R. Mech | 12 | 0 | 0% |
| Nursing Assistant | 17 | 55 | 76% |
| Power Engineering | 38 | 0 | 0% |
| Printing | 4 | 2 | 33% |
| Radio/TV Servicing | 14 | 0 | 0% |
| Sheet Metal | 8 | 0 | 0% |
| Shorthand Typing | 0 | 10 | 100% |
| Shorthand Typing Upgrading | 0 | 6 | 100% |
| Welding | 8 | 0 | 0% |
| Commercial Baking | 7 | 1 | 13% |
| Occupational Exploratory | 64 | 25 | 28% |
| Security Guard | 114 | 12 | 10% |
| Waiter/Waitress | 19 | 9 | 32% |
| Totals | 481 | 255 | 35% |

| Post Secondary | Male | Female | Female Percentage of Total |
|---|---|---|---|
| Accounting | 27 | 14 | 34% |
| Appraisal Assessment | 11 | 1 | 8% |
| Business Administration | 11 | 13 | 54% |
| Civil Engineering | 21 | 1 | 5% |
| Community Recreation | 4 | 5 | 56% |
| Computer Studies | 18 | 22 | 55% |
| Architectural Drafting | 8 | 4 | 33% |
| Electrical Tech | 13 | 0 | 0% |
| Electronics Tech | 47 | 1 | 2% |
| Food Administration | 2 | 6 | 75% |
| Forest Resources Tech | 25 | 5 | 17% |
| Med Lab Tech | 6 | 18 | 75% |
| Pharmacy | 13 | 12 | 48% |
| X-Ray Tech | 2 | 10 | 83% |
| Surveying Tech | 20 | 0 | 0% |
| Petroleum Tech | 7 | 0 | 0% |
| Totals | 235 | 112 | 32% |
| Grand Totals Post Secondary + Pre Employment | 716 | 367 | 34% |

* All percentages rounded to nearest whole number

Source: Registrar's Office, College of Trades & Technology

## 3.03 Newfoundland Public Service: The Need for Affirmative Action

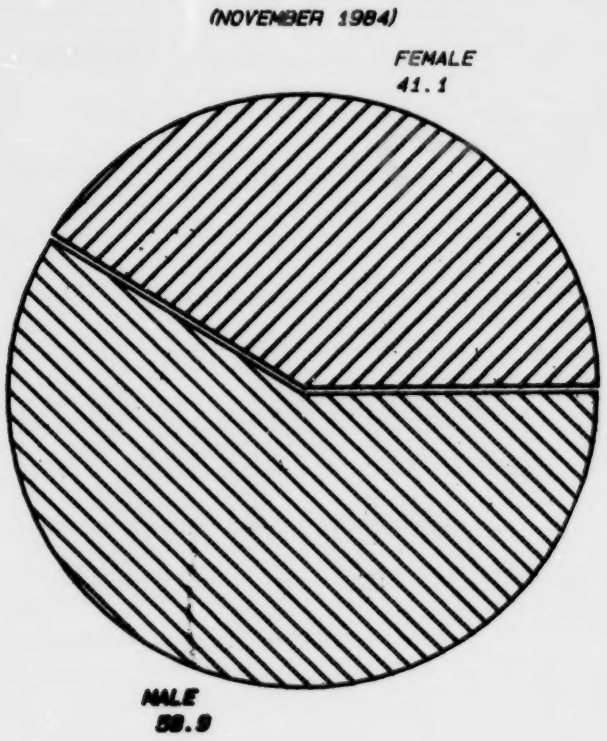
In order to ascertain the relative status of female employees within the Newfoundland Public Service, a researcher was employed to assist the Task Force on Affirmative Action in carrying out a preliminary workforce analysis. This analysis revealed that women are not represented on an equitable basis at the various levels of the Newfoundland Public Service. They tend to occupy only certain types of positions, in certain occupational groupings, generally those which pay relatively lower wages. Female employees earn on average lower wages than do male employees. Women are seriously underrepresented in senior management and executive positions. The following provides further details about the Task Force's findings based on this workforce analysis.

### 3.03.01 Workforce Participation and Salary Distribution

In November of 1984 there were 7929 full-time direct Government employees in the Newfoundland Public Service. Of these, 4672 or 58.9 percent were male, and 3257 or 41.1 percent were female, as depicted in Figure I. This male/female participation rate closely resembles the male/female participation rate in the overall Provincial workforce.

FIGURE I

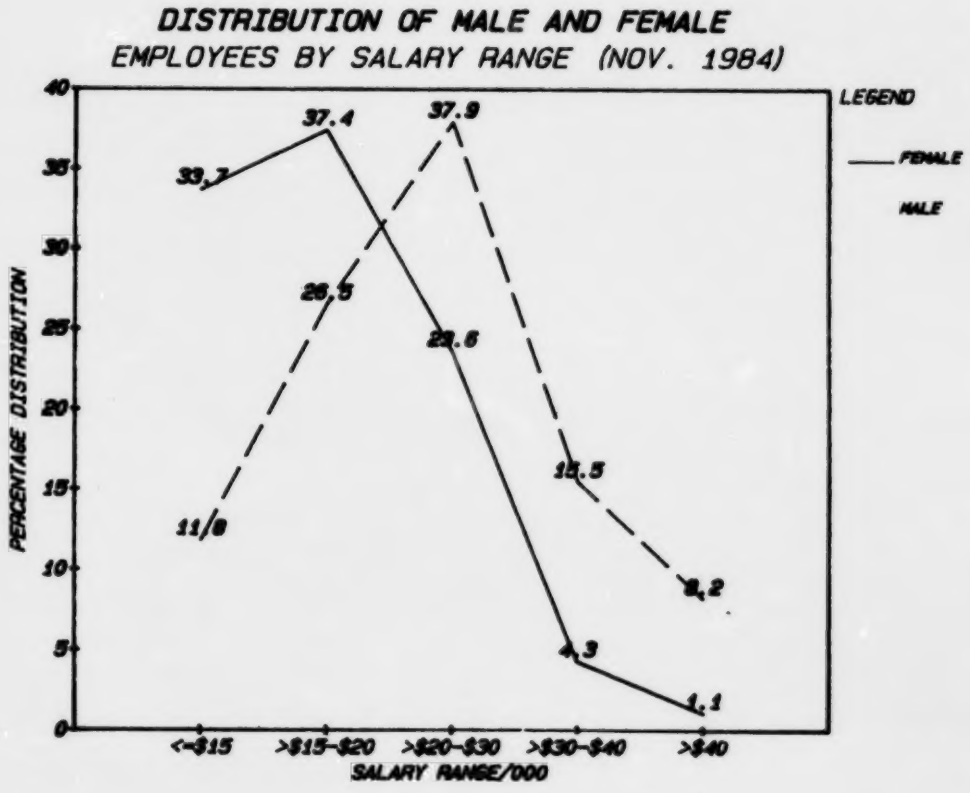
NEWFOUNDLAND PUBLIC SERVICE BY GENDER




There is a considerable difference between the average annual salaries of female and male Public Service employees, with females earning on average $18,798. or 74.9 percent of the average salary of male employees, which is $25,071. Although women comprise 41.1 percent of Public Service employees, they earn only 34.3 percent of total Government wages. Of male employees, 38.4 percent earn $20,000. or less annually, while almost double that percentage of female employees, 71.1 percent,

earn $20,000. or less. Almost twenty-five percent of employees with annual salaries of more than $20,000. are women while over seventy-five percent are men. Just under twelve percent of male employees have salaries of less than $15,000. annually, however, approximately three times this percentage of female employees, 33.7 percent, earn less than $15,000. Figure II illustrates the distribution of male and female Public Service employees by salary range.

FIGURE II



3.03.02 Occupational Distribution

As part of its review, the Task Force conducted an analysis of the distribution of male and female Public Service employees throughout the ten classification groupings designated by Government's current classification system. Findings indicated that male and female employees are not equitably distributed, and that there are areas of disproportionate representation by each sex. Table C details the distribution of male and female Public Service employees by classification grouping.

Table C shows a division of labour between men and women. Generally, the highest percentages of women are in traditionally female jobs, and the highest percentages of men are in traditionally male jobs. The only exception is the Clerical, Fiscal and Administrative classification grouping, which contains the largest percentages of both male and female employees. Men in this grouping hold the higher paying administrative positions, while women are employed in the lower paying clerical positions.

Table C shows the underrepresentation of women in the Executive; Public Safety, Judicial and Law Enforcement; Natural Resources; Labour, Labour Supervision and Trades; and Education

TABLE C

Distribution of Public Service Employees
By Sex Within Classification Grouping
(November 1984 Data)

| Classification Grouping | Female | | Male | |
|---|---|---|---|---|
| | Number | % of Female Group | Number | % of Male Group |
| Clerical, Fiscal and Administrative | 1461 | 44.9 | 1026 | 22.0 |
| Health | 713 | 21.9 | 227 | 4.9 |
| Custodial, Food and Allied | 364 | 11.2 | 197 | 4.2 |
| Community Development and Welfare | 349 | 10.7 | 324 | 6.9 |
| Education and Allied | 185 | 5.7 | 400 | 8.6 |
| Labour, Labour Supervision and Trades | 80 | 2.5 | 542 | 11.6 |
| Public Safety, Judicial and Law Enforcement | 54 | 1.6 | 938 | 20.2 |
| Natural Resources | 38 | 1.2 | 574 | 12.3 |
| Engineering and Allied | 9 | .3 | 350 | 7.5 |
| Executive | 3 | .01 | 84 | 1.8 |
| Total | 3256* | 100% | 4662* | 100% |

* One female position and ten male positions not included

and Allied classification groupings. Men are similarly underrepresented in the Clerical, Fiscal and Administrative; Community Development and Welfare; Custodial, Food and Allied; and Health classification groupings.

Male employees are more equitably distributed throughout the classification groupings overall. The majority of female employees, 66.8 percent, occupy just two classification groupings: Clerical, Fiscal and Administrative; and Health. A similar percentage of men, 66.1 percent are distributed through four classification groupings: Clerical, Fiscal and Administrative; Public Safety, Judicial and Law Enforcement; Natural Resources; and Labour, Labour Supervision and Trades. The Task Force on Affirmative Action also notes that in half of the classification groupings, women comprise less than fifteen percent of the total group. These include the Executive group (3% women); Engineering and Allied (3% women); Public Safety, Judicial and Law Enforcement (5% women); Natural Resources (6% women); and Labour, Labour Supervision and Trades (13% women). Figure III depicts this disproportionate distribution in graph form.

Salaries are higher in male dominated jobs, and lower in female dominated jobs. Males earn more than their female colleagues in both cases. Although the average annual salary of female employees in male dominated jobs is $23,123., males in the lower paying female dominated jobs still earn more, averaging $23,531. yearly. Table D illustrates this.

FIGURE III

## NEWFOUNDLAND PUBLIC SERVICE EMPLOYEES
### % DISTRIBUTION OF MEN AND WOMEN IN EACH CLASS (NOV. 1984)

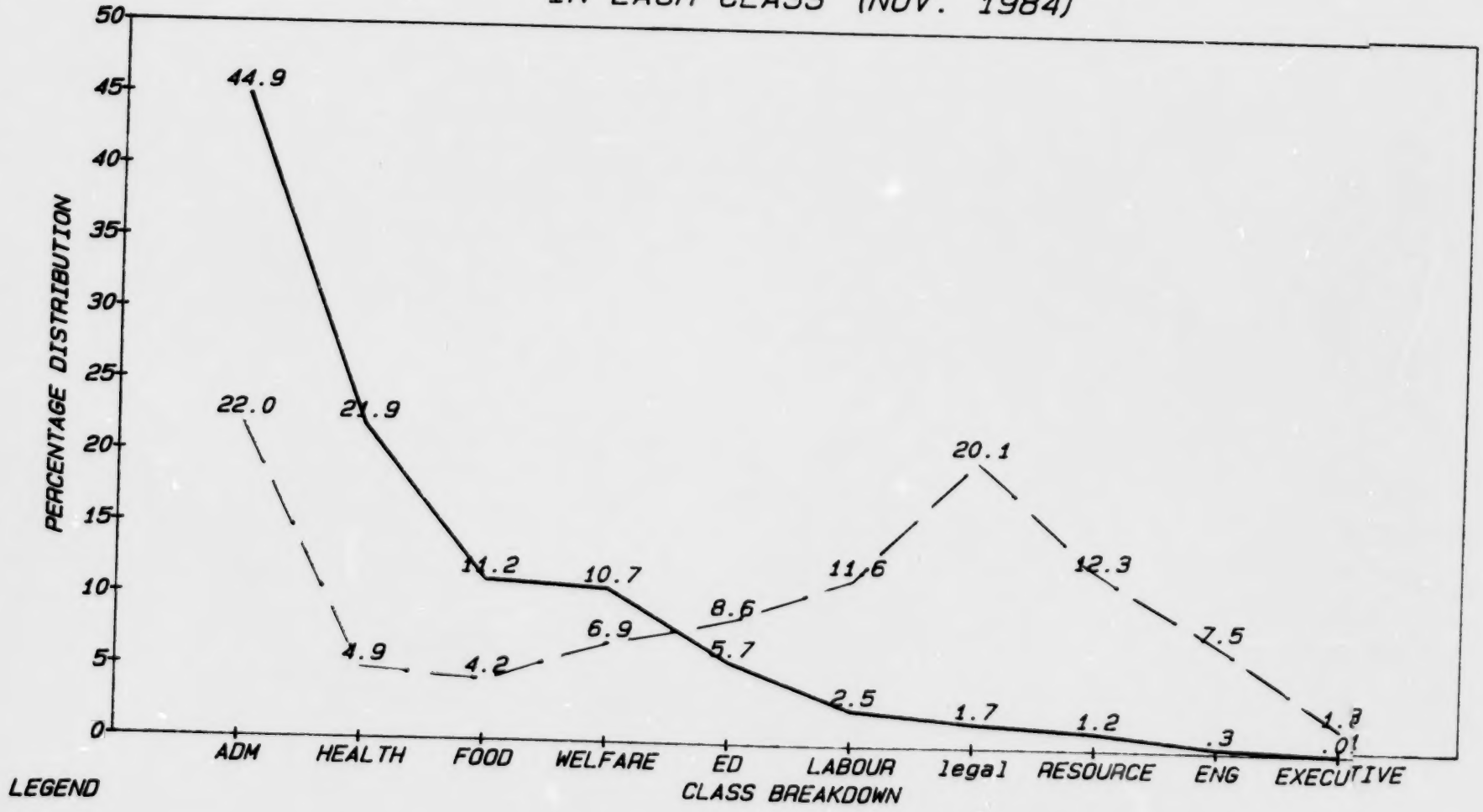


TABLE D

Average Male/Female Salaries in
Selected Classification Groupings

| Groupings Numerically Dominated by Males | Average Salary Male | Average Salary Female | Average Female Salary as percent of Average Male Salary |
|---|---|---|---|
| Executive<br>Engineering and Allied<br>Public Safety, Judicial and Law Enforcement<br>Natural Resources<br>Labour, Labour Supervision and Trades<br>Education and Allied | $25,979 | $23,123 | 89% |

| Groupings Numerically Dominated by Females | Average Salary Male | Average Salary Female | Average Female Salary as percent of Average Male Salary |
|---|---|---|---|
| Clerical, Fiscal and Administrative<br>Community Development and Welfare<br>Custodial, Food and Allied<br>Health | $23,531 | $18,246 | 77.5% |

3.03.03 Departmental Distribution

In addition to examining the distribution of male and female employees throughout occupational groupings and by salary range across the Newfoundland Public Service, the Task Force reviewed data concerning male/female representation and salaries by Department. Table E provides a breakdown of this information.

Overall, women employed full-time in the Newfoundland Public Service earn 74.9 percent of the average male annual salary. The average female salary as a percentage of the average male salary ranges from fifty-two percent to eighty-three percent depending upon the individual Government Department.

The difference between the average male and female salaries on a departmental basis may be due in part to the large number of women occupying clerical positions. The Task Force estimates that approximately forty percent of female employees are in this category.

Only two Departments within the Newfoundland Public Service have more female employees than male. Between them, the

TABLE E

Distribution of Public Service Employees
by Sex and Average Salary Within Departments
(November 1984 Data)

| Department | Number of Employees F | M | Total | Percentage F | M | Salary F | M | Female Salary as Percent of Male Salary |
|---|---|---|---|---|---|---|---|---|
| Executive Council | 64 | 72 | 136 | 47.0 | 53.0 | $18,746 | $35,772 | 52.4% |
| Labour & Manpower | 61 | 119 | 180 | 33.9 | 66.1 | 16,160 | 30,404 | 53.2% |
| Development | 44 | 65 | 109 | 40.4 | 59.6 | 18,633 | 33,044 | 56.4% |
| Municipal Affairs | 39 | 113 | 152 | 25.7 | 74.3 | 16,454 | 27,722 | 59.4% |
| House of Assembly | 37 | 63 | 100 | 37.0 | 63.0 | 18,527 | 30,103 | 61.5% |
| Mines & Energy and Petroleum Directorate | 55 | 130 | 185 | 29.7 | 70.3 | 18,172 | 29,222 | 62.2% |
| Fisheries | 46 | 127 | 173 | 26.6 | 73.4 | 16,740 | 26,570 | 63.0% |
| Justice | 302 | 950 | 1252 | 24.1 | 75.9 | 16,965 | 26,452 | 64.1% |
| Environment | 17 | 36 | 53 | 32.1 | 67.9 | 18,503 | 27,700 | 66.8% |
| Rural Agricultural & Northern Development | 68 | 214 | 282 | 24.1 | 75.9 | 17,147 | 24,530 | 69.9% |
| Transportation | 97 | 308 | 405 | 23.9 | 76.1 | 15,675 | 22,229 | 70.5% |
| Forest Resources & Lands | 158 | 350 | 508 | 31.1 | 68.9 | 14,476 | 20,502 | 70.6% |
| Finance | 121 | 217 | 338 | 35.8 | 64.2 | 17,129 | 23,723 | 72.2% |
| Education | 321 | 465 | 786 | 40.8 | 59.2 | 21,900 | 30,204 | 72.5% |
| Culture, Recreation & Youth | 80 | 222 | 302 | 26.5 | 73.5 | 16,723 | 21,901 | 76.4% |
| Health | 697 | 257 | 954 | 73.1 | 26.9 | 21,199 | 27,731 | 76.4% |
| Public Works & Services | 100 | 535 | 635 | 15.7 | 84.3 | 15,534 | 19,101 | 81.3% |
| Social Services | 950 | 429 | 1379 | 68.9 | 31.1 | 18,886 | 22,817 | 82.8% |
| Total | 3257 | 4672 | 7929 | 41.1 | 58.9 | 18,798 | 25,071 | 74.9% |

Departments of Health and Social Services employ over half the female employees of the Public Service. Female employees make up seventy-three percent of Department of Health employees, and sixty-nine percent of the Department of Social Services staff. Despite comprising the majority of these Departments' employees, women on average earn less than the average male salary. In all other Departments, the majority of employees are male.

In all Departments women occupy the lower salary ranges. There were only two Departments in which female employees earn, on average, more than $20,000. per year, the Departments of Health and Education. Even in the Department of Health where the distribution of male and female employees appears more equitable, only six percent of women as compared with twenty-five percent of men fall in the above $30,000. category.

Finally, the Task Force reviewed the numbers of women in Executive and Director level positions within Departments. Table F outlines this information.

The Task Force wishes to acknowledge the work of P. Stockwood of the Public Service Commission, who prepared all tables and figures in this section.

TABLE F

Executive and Director Level Positions by Department
Male/Female Breakdown
(October 1984 Data)

| Department | # Male | # Female | Total Positions |
|---|---|---|---|
| 1. Auditor General | 6 | 0 | 6 |
| 2. Culture Recreation & Youth | 10 | 0 | 10 |
| 3. Development | 16 | 2 | 18 |
| 4. Education | 12 | 1 | 13 |
| 5. Environment | 8 | 0 | 8 |
| 6. Executive Council | 24 | 2 | 26 |
| 7. Finance | 15 | 2 | 17 |
| 8. Fisheries | 12 | 0 | 12 |
| 9. Forest Resources & Lands | 16 | 0 | 16 |
| 10. Health | 23 | 5 | 28 |
| 11. Justice | 21 | 4 | 25 |
| 12. Labour & Manpower | 15 | 0 | 15 |
| 13. Legislative (Ombudsman) | 2 | 0 | 2 |
| 14. Mines & Energy | 7 | 0 | 7 |
| 15. Municipal Affairs | 13 | 0 | 13 |
| 16. Offshore Petroleum Directorate | 13 | 1 | 14 |
| 17. Public Service Commission | 6 | 0 | 6 |
| 18. Public Works & Services | 17 | 0 | 17 |
| 19. Rural Agricultural and Northern Development | 15 | 0 | 15 |
| 20. Social Services | 13 | 1 | 14 |
| 21. Transportation | 13 | 1 | 14 |
| Total | 277 | 19 | 296 |

Percentage Female 6.4%
Percentage Male 93.6%

Percentage of Departments with no females at the Executive or Director level 59%

## 3.04 Conclusion

This Chapter documents the current status of female employees within the Newfoundland Public Service. The Task Force on Affirmative Action is concerned about a number of its findings as a result of its review of this area.

Although 41.1 percent of Newfoundland Public Service employees are women, they are not dispersed throughout the range of Public Service positions on this same basis. Female employees are overrepresented in a limited number of occupational groupings, and are virtually absent from others. The Task Force observes with some concern that where female employees are predominant, the salaries are much lower than in those areas dominated by male employees. Female salaries overall are substantially lower than those of male Public Service employees. The numbers of women earning less than $20,000. annually is noteworthy, as is the fact that 33.7 percent of female employees earn less than $15,000. yearly. The serious underrepresentation of women in executive and senior management positions also warrants action on the part of Government. The status of female employees within the Newfoundland Public Service as dipicted by the Task Force's

analysis emphasizes the necessity for Government to take affirmative action to ensure that its commitment to employment equity can be realized.

Having reached agreement regarding the extent of the problem, the Task Force on Affirmative Action decided to review the issues of concern to female employees in the Newfoundland Public Service. These are outlined in the sections of the Report which follow.

## CHAPTER 4 THE ISSUES

Submissions to the Task Force on Affirmative Action identified a number of factors which may inhibit the equitable participation of women in the Newfoundland Public Service. These are discussed in detail in the following sections of this Chapter and include:

(a) Classification and Pay, and Equal Pay for Work of Equal Value

(b) Benefits and Related Issues

(c) Child Care

(d) Employment Flexibility

(e) Recruitment, Selection and Promotion

(f) Appointments to Boards, Commissions, Corporations and Other Organizations

(g) Staff Training and Development

(h) Career Planning and Counselling

(i) Language

(j) Sexual Harassment

(k) Legislation

## 4.01 Classification and Pay, and Equal Pay for Work of Equal Value

Order-in-Council 703-'84 specifically directed that the Task Force on Affirmative Action study Government's pay policies "to determine if adjustments are required to facilitate the advancement of the target group". In addressing this issue, the Task Force examined Government's classification and pay system in conjunction with the concept of equal pay for work of equal value. For the purposes of this Report, consideration of the two as interrelated is important.

### 4.01.1 Classification and Pay

Legislation does ensure that men and women in this Province are paid equally if they are doing the same or similar work. Section 10 (1) of The Newfoundland Human Rights Code states that:

> "No employer, and no person acting on his behalf, shall establish or maintain differences in wages between male and female employees, employed in the same establishment who are performing, under

the same or similar working conditions,
the same or similar jobs requiring the
same or similar skill, effort and
responsibility, except where such payment
is made pursuant to

(a) a seniority system, or

(b) a merit system."

As a general rule, Newfoundland Public Service employees working in the same jobs with the same seniority can expect to receive the same pay. In situations where this is not the case, the varying rates of pay have been achieved by means of collective bargaining. The fact is, however, that men and women within the Newfoundland Public Service do not work in the same jobs. Chapter Three documented the overrepresentation of women in some occupational groupings, and their underrepresentation in others. Submissions to the Task Force relate the low wages associated with the female dominated occupations with an inherent unfairness in the classification system. The perception is that Government's classification system is a major contributing factor to pay inequity because of the rates of pay associated with particular occupational classifications.

Government's classification system has been in place for many years. During that time, the Public Service has grown

and become increasingly complex. The classification system has been modified repeatedly and become unwieldy. Hundreds of individual classification specifications now exist. In the process of conducting its workforce analysis and addressing classification concerns, the Task Force found that the system has evolved to the point where it is not easily amenable to either analysis or explanation. Submissions to the Task Force reflected a belief that female Public Service employees are discriminated against regarding the value of the work which they perform in relation to the pay received. Bias within the classification system was cited as contributing to this perceived inequity, as well as a general underevaluation of "women's work".

To repeat some of the facts from Chapter Three regarding pay differences between male and female employees, the Task Force notes the following:

(a) The average salary of women employed in the Newfoundland Public Service is $18,798. while for men it is $25,071.

(b) Seventy-one percent of female employees earn $20,000. or less, while almost sixty-two percent of male employees earn over $20,000.

(c) Only twenty-five percent of Public Service employees who make over $20,000. a year are women.

(d) Women are overrepresented in lower paying jobs. 33.7 percent of female employees occupy positions paying less than $15,000. a year, while just twelve percent of male employees earn salaries below this level.

(e) The occupational groupings where women predominate pay less than those where men are in the majority.

Submissions to the Task Force were adamant in connecting the relatively lower pay of female employees to inequities in the classification system. Submissions suggested that comparable positions were assigned differing rates of pay on no other basis than gender.

The Task Force is concerned that the perception of inequity regarding Government's classification system is so prevalent. The issue of classification is complex and the Task Force recommends that Government direct that a consultant be appointed to review Government's classification system and, in particular, to ensure that any gender bias is identified and removed. The

Task Force on Affirmative Action therefore recommends:

> THAT GOVERNMENT APPOINT A CONSULTANT TO RECOMMEND AN APPROPRIATE CLASSIFICATION SYSTEM FREE OF GENDER BIAS.

The Task Force also received submissions expressing concern that many of the current requirements for specific positions are irrelevant and outdated. The current classification system, the Task Force was told, does not promote job bridging or job enrichment, and career paths are not well defined. The Task Force is concerned that irrelevant job requirements create possible barriers to women's advancement. It therefore recommends:

> THAT IN ITS IMPLEMENTATION OF A REVISED CLASSIFICATION SYSTEM, GOVERNMENT ENSURE THAT ANY IRRELEVANT JOB REQUIREMENTS ARE ELIMINATED.

4.01.02 Equal Pay for Work of Equal Value

The Task Force earlier observed that equal pay for equal or similar work in this Province is a practice for which there is provision in law. The Federal Government, however, has recognized the concept of equal pay for work of equal value through an amendment to The Canadian Human Rights Act in 1977.

The implementation of equal pay for work of equal value requires that jobs be broken down into the various demands and skills used and point values assigned to each area. The points are totalled, and the rate of pay assigned according to this total. While there are different systems available to determine how this is done, most systems evaluate the following factors which are common to all jobs:

(a) Knowledge and Skills
(b) Mental Demands
(c) Accountability
(d) Working Conditions

Using this sort of system makes it possible to compare very different sorts of jobs and to make the appropriate pay adjustments if they are warranted. Those who are concerned that

"women's work" is undervalued point to the implementation of equal pay for work of equal value as a means of eliminating inequities. Properly implemented, one could compare clerk-typists with truck drivers, library technicians with gardeners and secretaries with electricians.

The Canadian Human Rights Commission has made a number of decisions in cases of this nature. The Commission, however, reviews cases only at the request of the complainant, and the process of the evaluation is complex and lengthy.

The Task Force on Affirmative Action recognizes that the issue of equal pay for work of equal value is an important one. However, it is first essential that jobs be evaluated fairly by means of their classification. The Task Force views the elimination of any classification inequities as a necessary first step in the provision of pay equality. Should inequities be identified following the implementation of a classification system free of bias, Government should consider the equal pay for work of equal value policy. The Task Force on Affirmative Action therefore recommends:

THAT GOVERNMENT DEFER CONSIDERATION OF IMPLEMENTATION OF EQUAL PAY FOR WORK OF EQUAL VALUE UNTIL A NEW CLASSIFICATION SYSTEM FREE OF GENDER BIAS IS IN PLACE.

## 4.02 Benefits and Related Issues

The Task Force on Affirmative Action was directed to investigate Government's benefits policies "to determine if adjustments are required to facilitate the advancement of the target group". In doing so, Government has recognized the importance of a comprehensive benefits package to its female employees. It is generally accepted that a basic salary is only one component of employee remuneration. For purposes of this Report, the term benefits includes those items which have a direct value, monetary or non-monetary to the employee, but which do not include basic pay. Examples include protection against unemployment, protection against loss of income because of sickness or accident, and improvement in working conditions.

For female employees, the extent of the benefits package is crucial. The benefits package affects the ability to pursue employment, either full-time or part-time, and influences the range and scope of occupations, as well as geographic location. A satisfactory benefits package may facilitate combined family and work responsibilities, and maintenance of an attachment to the workforce during child rearing. It may ensure appropriate use

of sick leave or annual leave and the maintenance of health, insurance and pension coverage during a crucial period in the female employee's life. Benefits provisions can have a profound effect on productivity. Less than comprehensive benefits may result in delayed career advancement because of breaks in service and loss of skills and seniority.

All submissions to the Task Force emphasized the importance of the benefits package to female Public Service employees. The Task Force was impressed with the frequent reference to the belief that women are prevented from full participation as employees in the Newfoundland Public Service because of shortcomings in Government's benefits policies.

Consideration of benefits and related issues falls well within the mandate of the Task Force on Affirmative Action. A complete benefits package is seen as an essential support to female employees. The Task Force has made recommendations to redress inequities and has indicated those which should be implemented immediately. Other initiatives address broader concerns, and in this case, the Task Force has made recommendations to be implemented over the long term.

### 4.02.1 Maternity Leave and Related Concerns

Issues relating to maternity leave were addressed in all submissions to the Task Force. It is a fact that women bear children, and in our society, they are primarily responsible for their care, particularly when children are very young. It is, therefore, the careers of women that are most affected by this biological process. Many of the comments made to the Task Force indicated a belief that the lack of benefits afforded pregnant employees and to those who have just given birth constitutes a major impediment to women's participation in and advancement through the Newfoundland Public Service. Discussion of the broad range of issues considered by the Task Force regarding pregnancy and maternity leave follows.

#### 4.02.1.1 Use of Sick Leave For Illness Associated With Pregnancy

Currently, Section 520 H.j. of Government's Personnel Administration Procedures states that "an employee may be awarded sick leave for illness associated with pregnancy provided that such sick leave may not be awarded during the two month period prior to the expected date of delivery". Sick leave is designed to be used in the case of employee illness. It is the judgement of the Task Force that current provisions unfairly restrict the use of earned sick leave credits by pregnant employees who are ill. With minor variations, the Public

Services of all the Maritime Provinces provide for the awarding of sick leave for illness associated with pregnancy at any time prior to the scheduled commencement of maternity leave.

The Task Force therefore recommends the following:

THAT SICK LEAVE BE AWARDED FOR ILLNESS REGARDLESS OF ITS ASSOCIATION WITH PREGNANCY DURING ANY TIME PRIOR TO THE SCHEDULED BEGINNING OF AN EMPLOYEE'S MATERNITY LEAVE.

4.02.1.2 Paid Maternity Leave

The Task Force on Affirmative Action received a number of recommendations relating to paid maternity leave. The drop in income experienced by employees during maternity leave occurs at a time when family responsibilities and expenses increase. In some cases, economic hardship results for female employees and their families.

The Task Force on Affirmative Action devoted considerable time in considering this issue. In its broadest sense, paid maternity leave might "facilitate the advancement of the target

group". However, the Task Force does not identify the lack of paid maternity leave as a major impediment to women's occupational diversification or promotion within the Newfoundland Public Service. Moreover, the Task Force notes that paid maternity leave in other jurisdictions has resulted from the collective bargaining process. On the other hand, the issue of paid maternity leave was raised repeatedly in submissions to the Task Force. Female employees in the Public Service of this Province and those elsewhere are concerned about this issue. The Task Force is aware that its mandate extends only to the workforce included within the Newfoundland Public Service, but views this issue as an important one to be examined in a broader social context.

Within the Newfoundland Public Service, provision for maternity leave is contained in Section 520 H.5. of Government's Personnel Administration Procedures which describes the various forms of Special Leave Without Pay. Most employees who take maternity leave are eligible for maternity benefits, under the provisions of the Unemployment Insurance Act. An employee receives 60% of her regular salary to a maximum of $276. per week for a fifteen (15) week period. There is a two (2) week waiting period prior to this fifteen (15) week period during which the employee receives no income. This two (2) week

waiting period is consistent with the waiting period for regular Unemployment Insurance Benefits.

In the jurisdictions where paid maternity leave has been attained, implementation models vary greatly. Provision for paid leave is usually made during the two (2) week waiting period described above, or during an extended leave period, generally of about seventeen (17) weeks. All paid maternity leave plans are ones which are recognized by the Canada Employment and Immigration Commission. These supplemental unemployment insurance benefits do not reduce the benefits provided under the Commission's Unemployment Insurance Program.

Two (2) weeks after the commencement of maternity leave, most female employees receive Unemployment Insurance Maternity Benefits. However, some employers provide salary for the two (2) week waiting period. This provision takes different forms. New Brunswick and Prince Edward Island provide full salary through the application of up to ten (10) days sick leave credits against this period. Other public sector employers pay a percentage of the employee's salary during this two (2) week period. For example, most Federal employees receive 60% of their salaries, (or the amount equivalent to the Unemployment Insurance Maternity Benefit) while some receive 93%, as do Quebec and Ontario employees.

Extended paid maternity leave plans provide for "topping up" by the employer of Unemployment Insurance Maternity Benefits to a specified percentage of the employee's regular salary during the fifteen (15) week period that she receives Unemployment Insurance Maternity Benefits. This is in addition to any salary during the two (2) week waiting period. As examples, Quebec, Ontario and some Federal public employees receive their Unemployment Insurance Maternity Benefits and, from their employers, supplemental unemployment insurance benefits to ninety-three percent of their salaries. Quebec pays the full ninety-three percent of the employee's salary for an additional three (3) weeks following the expiry of Unemployment Insurance Maternity Benefits.

Regardless of the mechanism used to provide paid maternity leave, public sector employers have recognized the principle of providing employees with some form of income while they are on maternity leave. Acknowledgement by the employer of this need and provision for it is seen by the Task Force as desirable. The Task Force on Affirmative Action therefore recommends the following:

THAT GOVERNMENT CONSIDER PROVIDING
SUPPLEMENTARY UNEMPLOYMENT INSURANCE
BENEFITS FOR EMPLOYEES ON MATERNITY LEAVE.

4.02.1.3 Length of Maternity Leave

Section 520 H.5.a.4. of Government's Personnel Administration Procedures provides that "subject to the approval of the permanent head, an employee may be permitted to commence maternity leave at the beginning of her sixth month of pregnancy and maternity leave may be extended to a maximum of seventeen (17) weeks after the date of termination of the pregnancy". In the opinion of the Task Force, the total amount of maternity leave currently available to employees of the Newfoundland Public Service, about thirty-three (33) weeks or approximately seven (7) months, would adequately meet the needs of most women. A number of concerns were communicated to the Task Force relating to the time frames which now apply to leave granted for the pre and post-delivery periods. In addressing the Task Force, one employee commented, "if I were an employer, I would prefer to lose a good employee for six to nine months rather than have her resign because she could not obtain leave". The Task Force notes that the pregnant employee need not commence maternity leave as long as she is able to perform her duties, and suggests that the starting date of maternity leave be a matter of negotiation between the Department and the employee. Admittedly, the Department requires confirmation of the starting date to make arrangements for the period during which the employee is on leave, nevertheless, the

employee's request should not be unreasonably denied. The same sort of negotiation process should be entered into regarding the establishment of the termination date of maternity leave.

The Task Force on Affirmative Action therefore recommends the following:

> THAT SECTION 520 H.5.a.4. OF GOVERNMENT'S PERSONNEL ADMINISTRATION PROCEDURES BE AMENDED TO PROVIDE THAT THE COMMENCEMENT AND TERMINATION DATES OF MATERNITY LEAVE BE A MATTER OF NEGOTIATION BETWEEN THE EMPLOYEE AND THE DEPARTMENT AND THE EMPLOYEE'S REQUEST IS NOT TO BE UNREASONABLY DENIED.

4.02.1.4 Payment of Group Health and Life Insurance Premiums During Maternity Leave

Currently, employees on maternity leave, as employees on other forms of Special Leave Without Pay, may continue coverage provided by the Group Health and Life Insurance Plan through direct payment of one hundred percent of the Plan premiums. (While employees are in receipt of full salary, the employee and employer each pay fifty percent.) The number and strength

of submissions to the Task Force on this concern were considerable. The incurring of additional costs in order to continue group health and insurance coverage at a time when the employee's income is reduced and family expenses are increased was the prevailing viewpoint expressed. For an employee of the Newfoundland Public Service on maternity leave for a seventeen (17) week period, the average cost of continuing these payments is $88.48 per month.

There are several options which would reduce, defer or eliminate these costs. Government could pay both the employee and employer premiums while the employee is on maternity leave. It could pay both premiums during maternity leave and recover all costs during the six (6) months following the employee's return to work. It could pay both premiums during maternity leave and recover the employee's share during the six (6) months following the employee's return to work.

While payment of the group health and life insurance premiums during maternity leave is not, in the strict sense, an affirmative action issue, payment of these premiums clearly constitutes a benefit which would assist female employees. The Task Force on Affirmative Action therefore recommends the following:

THAT GOVERNMENT CONSIDER PAYING EITHER:

(a) THE EMPLOYER SHARE OF GROUP HEALTH AND LIFE INSURANCE PREMIUMS FOR UP TO A MAXIMUM OF SEVENTEEN (17) WEEKS OF AN EMPLOYEE'S MATERNITY LEAVE, OR

(b) BOTH THE EMPLOYER AND EMPLOYEE SHARES OF GROUP HEALTH AND LIFE INSURANCE PREMIUMS FOR EMPLOYEES ON MATERNITY LEAVE, RECOVERING THE EMPLOYEE'S SHARE AND ANY PAYMENT IN EXCESS OF SEVENTEEN (17) WEEKS OF THE EMPLOYER'S SHARE DURING THE SIX (6) MONTH PERIOD FOLLOWING THE EMPLOYEE'S RETURN TO WORK.

4.02.1.5 Accrual of Service During Maternity Leave

A number of recommendations were made to the Task Force on Affirmative Action regarding service accrual during maternity leave. The issues addressed within the context of service accrual included seniority, annual leave and sick leave, salary increments, severance pay and pension matters.

Most Newfoundland Public Service collective agreements allow for accrual of service for seniority purposes during

maternity leave. The Task Force on Affirmative Action considers that accrual of service for seniority purposes during this time is of vital importance for female employees, given the role this factor plays in lay-off and promotion. In order to ensure that non-accrual of service for seniority purposes does not hinder the advancement of women, the Task Force recommends the following:

THAT PERIODS OF MATERNITY LEAVE BE ACCRUED AS SERVICE FOR SENIORITY PURPOSES BY ALL PUBLIC EMPLOYEES.

There are currently no provisions for accrual of sick leave and annual leave for employees who are on maternity leave. The Task Force on Affirmative Action considers that no change to this policy is required. It therefore recommends the following:

THAT PROVISIONS REGARDING THE ACCRUAL OF SICK LEAVE AND ANNUAL LEAVE DURING MATERNITY LEAVE REMAIN AS THEY ARE.

Most public servants, except for those covered by the Teachers' Collective Agreement, do not accrue service for salary increments during maternity leave. Only teachers and vocational instructors accrue service for severance pay purposes during maternity leave. The Task Force on Affirmative Action agrees that this issue is properly a part of the collective bargaining process. It notes, however, that breaks in service occasioned by maternity leave should not constitute an impediment to the career advancement of female employees. Government has considered and accepted the principle of accrual of service during maternity leave for salary increments and severance pay for a number of its employees. It is unfortunate that recognition of this principle is not extended throughout the Public Service. The Task Force on Affirmative Action therefore recommends the following:

THAT GOVERNMENT CONSIDER THE EXTENSION TO ALL PUBLIC SERVICE EMPLOYEES OF ACCRUAL OF SERVICE DURING MATERNITY LEAVE FOR SALARY INCREMENTS AND SEVERANCE PAY.

All forms of Special Leave Without Pay including maternity leave are credited as pensionable service if the appropriate premiums are paid. Generally the employee must pay both her and the employer's shares of the premiums. Government does, however, match the premiums paid by teachers who purchase service for periods of maternity leave. The Task Force recommends that this benefit be extended to all Public Service employees. It therefore recommends the following:

THAT GOVERNMENT CONSIDER MATCHING THE PREMIUMS PAID BY THE EMPLOYEE TO ALLOW THE CREDITING OF MATERNITY LEAVE AS PENSIONABLE SERVICE FOR ALL PUBLIC EMPLOYEES.

4.02.1.6 Access to Information Regarding Training and Promotional Opportunities During Maternity Leave

By virtue of being temporarily removed from the workplace, employees on maternity leave are not necessarily informed about training and promotional opportunities through the normal channels of communication in their Departments. The Task Force on Affirmative Action therefore supports the provisions of this information to the employee on maternity leave upon her request to the Director of Administration in her Department. This will encourage the advancement of female employees during a time when

they are temporarily away from the workplace, through the opportunity to participate in training or in the competitive process. The Task Force on Affirmative Action recommends:

THAT INFORMATION REGARDING TRAINING AND PROMOTIONAL OPPORTUNITIES BE PROVIDED TO EMPLOYEES ON MATERNITY LEAVE UPON WRITTEN REQUEST.

4.02.2 Adoption Leave

Section 520 H.5.b. (1) of Government's Personnel Administration Procedures provides for adoption leave without pay for up to four (4) months. The Task Force considers that the needs of employees adopting children are not substantially different from those of employees requiring maternity leave. It therefore recommends the following:

THAT WHERE APPLICABLE, THE BENEFITS PROVIDED TO EMPLOYEES ON MATERNITY LEAVE BE EXTENDED TO EMPLOYEES ON ADOPTION LEAVE.

4.02.3 Group Health and Insurance Plan

It was determined by the Task Force on Affirmative Action that none of the components of this plan discriminate against female employees or in any way acts as a barrier to their

advancement. No changes related to the mandate of the Task Force appear to be necessary, except regarding the payment of premiums during maternity leave, as noted earlier. The Task Force on Affirmative Action therefore recommends the following:

THAT GOVERNMENT'S GROUP HEALTH AND INSURANCE PLAN REMAIN AS IT IS.

4.02.4 Bonuses and Allowances

Section 520 F.15.b. of Government's Personnel Administration Procedures provides for the awarding of a Labrador Allowance to all employees excluding contractuals, casuals, and students employed by Departments in any area of Labrador. The allowances, however, are based on the marital status of employee, with lesser sums awarded to single employees. Determination of the rates does not appear to be related to financial responsibilities associated with dependents, and the Task Force disagrees with the continuation of separate rates based upon marital status. The Task Force on Affirmative Action notes that current provisions appear to contravene The Newfoundland Human Rights Code, and that steps should therefore be taken to equalize the Labrador Allowance so that it is not related to marital status. It is the view of the Task Force that this action is required in order to treat equally all employees in this part of the Province.

The Task Force on Affirmative Action therefore makes the following recommendation regarding bonuses and allowances:

THAT THE LABRADOR ALLOWANCE NOT BE RELATED TO MARITAL STATUS.

4.02.5 Family Responsibilities

The Newfoundland Public Service has no category of leave specifically designed to assist employees to meet their family responsibilities and needs. Other public sector jurisdictions have implemented policies which recognize that employees have certain rights and access to leave of this nature. As an example, the Federal Government includes Maternity Leave, Paternity Leave, Adoption Leave, Leave for the Care and Nurturing of Pre-School Children, and Leave for Personal Needs in the category of Family Responsibility Leave, with varying provisions for each type.

The Task Force on Affirmative Action has identified a need for the designation of Family Responsibility Leave within current leave categories. Leave to attend to family responsibilities is available under the existing provisions of Government's Personnel Administration Procedures. Section 520 H.4., Special Leave With Pay, provides for Compassionate Leave, while

Section 520 H.5., Special Leave Without Pay, provides for several forms of extended leave. However, submissions to the Task Force on Affirmative Action and its own review of the procedures and practices associated with leave approval indicate interpretation of current provisions has been narrow; that requests for leave to attend to family responsibilities have not always been perceived as valid reasons for leave approval and that application of these categories of leave has been underutilized.

Submissions to the Task Force recognized that changes to leave provisions to allow for Family Responsibility Leave would benefit both male and female employees. In Newfoundland and Labrador society it is still women who traditionally retain responsibility for family matters, and women therefore who are currently most at a disadvantage because of a lack of specific provisions for Family Responsibility Leave. Female employees, the Task Force was informed, must use annual leave or sick leave to attend to children's medical or dental appointments or to provide short term care for ill family members. In order to provide longer term care for pre-school children or elderly relatives, they may be obliged to resign their positions and lose benefits and seniority, adversely affecting their later return to the workforce. It is the opinion of the Task Force

that lack of access to Family Responsibility Leave particularly restricts the participation of women within the Newfoundland Public Service, and in the longer term, their advancement.

The Task Force on Affirmative Action considers that a number of recommendations regarding Family Responsibility Leave are in order.

Section 520 H.4.b. of Government's Personnel Administration Procedures, entitled Compassionate Leave states that "subject to the approval of the permanent head, special leave with pay not exceeding three (3) days a year may be granted in special circumstances, for reasons other than those referred to in Section 520 H.4.a.". (Section 520 H.4.a. refers to Bereavement Leave.) The Task Force on Affirmative Action makes the following recommendations regarding this section:

i) THAT THE COMPASSIONATE LEAVE SECTION OF GOVERNMENT'S PERSONNEL ADMINISTRATION PROCEDURES BE RENAMED LEAVE WITH PAY FOR FAMILY RESPONSIBILITIES.

ii) THAT SECTION 520 H.4.b. OF GOVERNMENT'S PERSONNEL ADMINISTRATION PROCEDURES BE AMENDED TO PROVIDE FOR LEAVE OF UP TO FIVE (5) DAYS EACH YEAR TO ATTEND TO THE TEMPORARY CARE OF A SICK FAMILY MEMBER; NEEDS RELATED TO THE BIRTH OF THE EMPLOYEE'S CHILD; MEDICAL OR DENTAL APPOINTMENTS FOR DEPENDENT FAMILY MEMBERS; MEETINGS WITH SCHOOL AUTHORITIES OR ADOPTION AGENCIES; NEEDS RELATED TO THE ADOPTION OF A CHILD, OR HOME OR FAMILY EMERGENCIES.

Section 520 H.5.b. (2) of Government's Personnel Administration Procedures states that "With the approval of a permanent head, special leave without pay, not in excess of one calendar year, may be granted to an employee in exceptional circumstances". Section 520 H.5.b. (3) of Government's Personnel Administration Procedures states that "special leave without pay in excess of one year shall require the prior approval of the Board". The Task Force makes the following recommendation regarding these sections:

THAT SECTIONS 520 H.5.b. (2) AND 520 H.5.b. (3) OF GOVERNMENT'S PERSONNEL ADMINISTRATION PROCEDURES BE AMENDED TO PROVIDE FOR EXTENDED LEAVE WITHOUT PAY TO ATTEND TO FAMILY RESPONSIBILITIES.

## 4.03 Child Care

Responsibility for the care of children falls to both parents by law. Traditionally, it falls to the mother. It is the mother who most frequently makes child care arrangements, and whose attachment to the workforce may suffer should these arrangements not prove adequate. The Report of the Royal Commission on Equality in Employment notes that "for women who are mothers, a major barrier to equality in the workplace is the absence of affordable child care of adequate quality". All submissions to the Task Force cited lack of child care as a major impediment to the full participation of women in the Newfoundland Public Service.

Submissions to the Task Force also pointed out that in addition to having the right to work, many women do not have a choice about whether to stay at home and care for their children, or enter the paid workforce. Many must work in order to maintain the economic stability of the family group. One employee commented, "In this age of economic depression, very few women are given the choice to work or stay at home...with this in mind, the need for improved child care...is that much greater".

Provision of adequate child care services supports women in the workforce in several important ways. Adequate child care may enable female employees to accept full-time as opposed

to part-time employment. Absenteeism is reduced and the quality of women's participation in the workforce is improved. Their choice of work and job locations may be expanded, and temporary withdrawals from the workforce to care for children may be required less frequently. Provision of child care permits the female employee to remain in the workforce, and to continue to acquire the skills and experience which will facilitate her advancement over the long-term.

The Task Force on Affirmative Action recognizes the importance of child care as a supportive service which enables women to participate in the workforce. However, it has chosen not to make recommendations regarding specific models for the provision of child care services within the Newfoundland Public Service. While there was agreement among all those who chose to comment to the Task Force on the issue of child care and its importance, there was no consensus about how child care services should be implemented. Methods of providing child care services in other public sectors also vary. The Task Force suggests that the issue is a complex one, and therefore confines its recommendation to the area of general policy direction.

The Task Force on Affirmative Action commends Government's decision to provide child care facilities within the new Confederation Building Complex. However, it suggests that with the principle of child care recognized, child care services should be extended to all employees. As one employee commented in her submission to the Task Force, "I am really pleased to find a recognition of this need. I only hope that the (child care) spaces available somehow meet the need, and that this is not just a token gesture."

The Task Force on Affirmative Action therefore makes the following recommendation regarding child care:

THAT GOVERNMENT ENDEAVOUR TO
PROVIDE CHILD CARE SERVICES FOR ITS
EMPLOYEES WHEREVER PRACTICAL.

## 4.04 Employment Flexibility

Measures have already been taken to encourage consideration of flexible employment patterns within the Newfoundland Public Service. In July of 1984 Treasury Board issued its Guidelines on Part-Time Employment with a view to increasing the utilization of part-time employment, job-sharing and similar employment methods.

In the opinion of the Task Force on Affirmative Action, full implementation of flexible employment options would be of benefit to all Public Service employees. However, because women traditionally bear responsibility for child raising and family matters, they could be expected to benefit to a greater degree, as utilization of these options would facilitate their remaining in the workforce while allowing time for family responsibilities. Submissions received by the Task Force on Affirmative Action emphasized the particular value of employment flexibility to the female employee. They noted that access to employment options would allow women to maintain and develop their job related skills, facilitate their advancement within the Public Service over the long term, and permit the full utilization by the employer of all its human resources.

The forms of flexible employment patterns viewed as particularly advantageous to female employees include part-time employment, job-sharing and flextime. Part-time employment is the only one of these options currently in use within the Newfoundland Public Service.

### 4.04.1 Part-Time Employment

Government's Personnel Administration Procedures define a part-time employee as a person who is regularly employed to work less than the full number of working hours in each working day, or less than the full number of working days in each week.

Part-time employment in Canadian society has grown rapidly during recent years. The establishment by employers of part-time positions meets the demands of an increasing number of employees, and particularly assists women who wish to participate in the labour force. Experience indicates that the benefits of part-time work include improved productivity, reduced fatigue and stress, improved employee morale, reduced absenteeism and lateness, easier recruitment, reduced employee turnover and an increased retention rate of skilled employees. This group might include those in mid-career or pre-retirement who might otherwise resign for family, health or other reasons. Part-time work also provides the flexibility for continuing

education. A number of female employees commented to the Task Force that traditional full-time employment prohibits combining work and family responsibilities with further study.

The Task Force notes that the only benefit not prorated for part-time employees in the Newfoundland Public Service is participation in Government's Pension Plan. The Task Force on Affirmative Action therefore recommends the following:

> THAT GOVERNMENT CONSIDER THE PRORATED PARTICIPATION OF PART-TIME EMPLOYEES IN ITS PENSION PLAN.

4.05.2 Job-Sharing

Job-sharing is a relatively new approach to employment, and generally involves the sharing by two people of the responsibilities of one full-time position, with salary and benefits prorated. Job-sharing supports employees who wish to maintain professional and vocational skills and their careers while raising their families. The benefits of job-sharing to the employee are similar to those associated with part-time work. In addition, there appears to be greater productivity

when two employees share a position than when it is occupied by one full-time employee. The job-sharing arrangement also permits greater flexibility in adjusting to peak and slow periods. For example, both employees could work at very busy times, as during budget preparation, and defer time off.

The Task Force on Affirmative Action therefore recommends the following:

> THAT, WHERE APPROPRIATE, THE OPTION OF JOB-SHARING WITH ALL BENEFITS PRORATED BE MADE AVAILABLE TO EMPLOYEES.

4.04.3 Flextime

Flextime is used extensively in both the private and public sectors with recognized success. Flextime allows some control over the timing of work by the individual employee, although the total number of hours worked does not change. Flextime exists where the regular eight hour working day is used as the basis for variable starting and quitting times around a core period when the employee must be present.

Many of the benefits of flextime are the same as for part-time and job-sharing options. Employee stress and absenteeism are reduced, and economic results are favourable to the employer. Family responsibilities can be more easily balanced, the need for leave is reduced, and employees perform better. For some employees, the availability of flextime results in continued participation in the workforce rather than resignation. Employees in other jurisdictions which have implemented flextime have commented upon the reduction of problems associated with commuting and traffic congestion.

The Task Force on Affirmative Action therefore recommends the following:

> THAT, WHERE APPROPRIATE, THE OPTION OF FLEXTIME BE MADE AVAILABLE TO EMPLOYEES.

4.05 Recruitment, Selection and Promotion

Order-in-Council 703-'84 directed the Task Force on Affirmative Action to review issues relating to recruitment, selection and promotion within the Newfoundland Public Service.

The Task Force first observes that recruitment, selection and promotion within the Public Service is based on merit, a practice having legislative authority through the provisions of The Newfoundland Public Service Commission Act. The Task Force does not propose the abrogation of the merit principle nor the arbitrary lowering of selection criteria as an affirmative action initiative of Government. It does note, however, that the current emphasis in the classification system upon experience and education may be barring qualified applicants from appointment to or promotion within the Newfoundland Public Service.

In considering recruitment, selection and promotion issues, the Task Force re-examined the workforce analysis data presented in Chapter Three of this Report, noting the current status of female employees in the Public Service. The inequitable distribution of male and female employees across Public Service

occupations is of particular concern, as is the underrepresentation of women in senior management and executive positions.

The Task Force further reviewed the selection process used by the Public Service Commission in filling vacancies by examining all of the competitions conducted during a selected six month period. The analysis indicated no unfairness in the competitive process. However, it did reveal that women are applying for only certain positions. Thirty-nine percent of the competitions for management positions during this period had no female applicants. Overall, only seventeen percent of the applicants for management positions were female. In competitions for the primarily lower paying non-management positions during this time, over half of the applicants, fifty-three percent, were women.

A review of promotions and appointments to management positions in the Newfoundland Public Service over several recent fiscal years reveals a similarly uneven pattern of male/female representation. Table A provides a profile of these years, which include both those affected and not affected by hiring freezes.

TABLE A

PROMOTIONS/APPOINTMENTS TO MANAGEMENT POSITIONS

SELECTED FISCAL YEARS

(NEWFOUNDLAND PUBLIC SERVICE)

| | FISCAL YEARS | | | | | |
|---|---|---|---|---|---|---|
| | '80-'81 | | '81-'82 | | '83-'84* | |
| | No. | % | No. | % | No. | % |
| Internal Competitions | | | | | | |
| Male Promotions | 50 | 83 | 59 | 88 | 63 | 78 |
| Female Promotions | 10 | 17 | 8 | 12 | 18 | 22 |
| Total | 60 | 100 | 67 | 100 | 81 | 100 |
| Public Competitions | | | | | | |
| Male Appointments | 26 | 81 | 14 | 64 | 24 | 89 |
| Female Appointments | 6 | 19 | 8 | 36 | 3 | 11 |
| Total | 32 | 100 | 22 | 100 | 27 | 100 |
| Combined Male | 76 | 83 | 73 | 82 | 87 | 81 |
| Combined Female | 16 | 17 | 16 | 18 | 21 | 19 |
| Total | 92 | 100 | 89 | 100 | 108 | 100 |

* Figures for '83-'84 include Senior Secretarial Positions

The Task Force on Affirmative Action is concerned that a continuation of the patterns reflected here will result in no change in the status quo, that is, female employees will continue to be overrepresented in non-management and lower paying Public Service positions. One measure that can be taken to ensure that women are considered in the filling of executive level positions is the analysis of qualifications of persons in feeder groups for the compilation and use of inventories. The Task Force on Affirmative Action therefore recommends:

> THAT THE EXECUTIVE DEVELOPMENT COMMITTEE COMPILE, UP-DATE AND SUBMIT TO THE PREMIER ON A SEMI-ANNUAL BASIS INVENTORIES OF QUALIFIED PERSONS IN THE PUBLIC SERVICE FOR CONSIDERATION IN THE FILLING OF APPOINTMENTS MADE BY THE LIEUTENANT-GOVERNOR IN COUNCIL.

The implementation of this and the large number of other recommendations which the Task Force has made elsewhere in this Report should improve the status of females in the Newfoundland Public Service. The Task Force is nevertheless

concerned that barriers to women's advancement may exist in addition to those identified in its preliminary workforce analysis and other research. While measures including training, career counselling, job bridging and improved benefits will address some concerns, an extensive workforce analysis within each Department is required to establish the causes for problems such as the alarmingly low numbers of women applying for management positions. The Task Force on Affirmative Action therefore recommends:

THAT GOVERNMENT TAKE STEPS TO ENSURE THAT AN EXTENSIVE WORKFORCE ANALYSIS IS CONDUCTED TO IDENTIFY ANY FURTHER BARRIERS TO THE ADVANCEMENT OF WOMEN IN THE PUBLIC SERVICE.

## 4.06 Appointments to Boards, Commissions, Corporations and Other Organizations

As a part of its review of the participation of women in the Newfoundland Public Service, the Task Force on Affirmative Action examined those appointments made by Government to Boards, Commissions, Corporations and other organizations. The appointments issue is of particular significance within the context of affirmative action for women. Participation on Boards, Commissions, Corporations and other similar bodies affords individuals involvement in policy development and implementation at a senior level. Unless women participate fully on Boards and other organizations, available expertise is not being used to the maximum. Participation on Boards is a valuable component of executive and management development and appointees to Boards are role models for others. Further, commitment to equitable representation on Boards of men and women followed by appropriate action is a measure that Government could implement relatively easily.

An analysis of all appointments to ninety-five (95) Boards, Commissions, Corporations and other bodies as of August, 1984 reveals that the representation of women is extremely low.

Thirty-five (35) of these organizations, or 36.8%, had no female members at all. Eighty-seven (87), or 91.5%, had less than 40% female members. Ninety (90) organizations were chaired by males with women chairing only five (5) organizations or 5.3%. Table A provides further details regarding this preliminary analysis.

TABLE A

APPOINTMENTS TO BOARDS, COMMISSIONS, CORPORATIONS AND OTHER ORGANIZATIONS

FEMALE REPRESENTATION

(AUGUST 1984 DATA)

| Percentage of Female Appointments | Total Number of Boards, etc. | Percentage of Total Boards, etc. |
|---|---|---|
| 0% | 35 | 36.8% |
| less than 15% | 55 | 57.8% |
| less than 25% | 74 | 77.9% |
| less than 40% | 87 | 91.5% |

However, not all appointments to Boards, Commissions, Corporations and other organizations are at the discretion of Government. In some cases, the legislative or other governing authority stipulates that an appointee be the person who holds a certain position or title, or who represents a certain group. For example, The Emergency Measures Act states that the Minister of Justice shall chair the Emergency Measures Advisory Committee, and that the Deputy Minister shall be the Committee Secretary. A second example further illustrates this point. The Pippy Park Commission Act provides that one member of the Pippy Park Commission is to be appointed by the City of St. John's, and that one member is to be appointed by the Board of Regents of Memorial University of Newfoundland.

Conscious of this, the Task Force identified those appointments which are at Government's discretion. Of the six hundred sixty-two (662) appointments to seventy-seven (77) bodies, five hundred sixty-six (566) appointments, or 85.5% are made at the discretion of Government. Four hundred fifty-five (455) of these appointments, or 80.4% are male. Women make up one hundred eleven (111), or 19.6%. Information was not available for approximately one hundred fifty-seven (157) appointments to eighteen (18) Boards and other organizations.

Table B provides more detail about appointments made at the discretion of Government for which information was available as of August, 1984.

TABLE B

APPOINTMENTS TO BOARDS, COMMISSIONS, CORPORATIONS AND OTHER ORGANIZATIONS AT GOVERNMENT DISCRETION

FEMALE REPRESENTATION

(AUGUST 1984 DATA)

| Percentage of Female Appointments | Total Number of Boards, etc. | Percentage of Total Boards, etc. |
|---|---|---|
| 0% | 28 | 37.3% |
| less than 15% | 41 | 54.7% |
| less than 25% | 55 | 73.3% |
| less than 40% | 65 | 86.7% |

This differs little from the breakdown contained in Table A. The underrepresentation of women on Boards and other organizations hinders the maximum utilization of the Province's human resources. Women are being prevented from equitable participation in an

important component of the Province's management. Moreover, they do not have the same opportunity as do men to acquire valuable developmental experience.

There are many qualified women, within and outside the Newfoundland Public Service, who are interested in and willing to serve on Boards and other organizations. Recent efforts to increase the representation of women on Boards and other organizations have not been successful. Therefore, special measures are required to establish a more equitable representation of men and women on Boards, Commissions, Corporations and other organizations. The Task Force recommends that Government make every alternate appointment to these organizations female until the overall percentage of female appointees reaches 40%, approximately double current representation. In order to facilitate this, the Secretary of the Social Policy Committee should be directed to compile the names of qualified women who are interested in and willing to serve on these organizations. This list should be updated and circulated to Ministers on a quarterly basis.

Government, through its involvement in the appointment process, has a unique opportunity to demonstrate in a clear, unmistakable manner, its commitment to the full participation

of women in this important aspect of the Province's life. The Task Force therefore recommends the following:

i) THAT GOVERNMENT, WHERE IT HAS DISCRETIONARY POWER TO MAKE APPOINTMENTS TO BOARDS, COMMISSIONS, CORPORATIONS AND OTHER ORGANIZATIONS, MAKE EVERY ALTERNATE APPOINTMENT FEMALE UNTIL THE PERCENTAGE OF FEMALE APPOINTEES REACHES 40%.

ii) THAT THE SECRETARY OF THE SOCIAL POLICY COMMITTEE COMPILE THE NAMES OF QUALIFIED WOMEN FOR USE IN MAKING APPOINTMENTS TO BOARDS, COMMISSIONS, CORPORATIONS AND OTHER ORGANIZATIONS; THIS LIST TO BE UP-DATED AND CIRCULATED TO THE PREMIER AND MINISTERS ON A QUARTERLY BASIS.

## 4.07 Staff Training and Development

One of the key results of any Affirmative Action Program is the equalization of opportunity for women to access training and development programs within an organization. Traditionally, participation in training and development programs fosters the growth and development of employees and assists them in performing their present jobs or to qualify for new jobs. Training is intended to provide employees with the knowledge, skills and attitudes to capably perform their present jobs. Development on the other hand is intended to prepare employees to assume future job responsibilities. It is critical, therefore, that employees are both aware of and participate in an organization's training and development program. Failure on either score will lead to loss of opportunity to acquire skills and knowledge at critical points in an employee's career and inevitably to a lowered capacity for advancement.

### 4.07.1 Major Concerns and Recommendations

In terms of the comments expressed by female employees regarding their access to training and development, two major concerns are apparent:

(1) Access to supervisory and management courses is normally restricted to employees occupying management and supervisory positions. As the majority of female employees in the Public Service are grouped in secretarial, clerical and administrative positions, they are therefore unable to participate in management and supervisory training.

To overcome this concern, several measures could be considered. In the first instance, a careful evaluation of the criteria to enter all courses, particularly management and supervisory courses, is required to ensure that artificial barriers are not blocking female employees from participating. The Task Force therefore recommends:

> THAT THE ENTRANCE REQUIREMENTS TO ALL MANAGEMENT AND SUPERVISORY COURSES BE REVIEWED BY THE PUBLIC SERVICE COMMISSION TO ENSURE THE REMOVAL OF ANY ARTIFICIAL BARRIERS.

Also, pre-supervisory and preparatory courses could be developed, utilizing the content of present course offerings, to broaden the opportunities available for management training

for female staff. A number of other jurisdictions presently offer such programs. To increase the effectiveness of these programs, a selection and referral process similar to that utilized in the Accelerated Management Development Program may be required. Following this process, female staff with identified potential for advancement would then be referred to the Public Service Commission for these courses. To this end the Task Force therefore recommends:

> THAT THE PUBLIC SERVICE COMMISSION FOLLOWING CONSULTATION WITH THE AFFIRMATIVE ACTION COUNCIL DEVELOP PREPARATORY COURSES IN SUPERVISION AND MANAGEMENT FOR EMPLOYEES WITH POTENTIAL FOR ADVANCEMENT.

(2) A second concern reported by female staff in submissions to the Task Force is their lack of information regarding available training opportunities. The decreased participation of women in training may also be resulting therefore from the failure of their managers and supervisors to properly inform them of present courses and activities.

Job coaching leading to referral to training courses is a critical component of effective management and supervisory practice. Department Heads may need to make clear to their managers that they will be held accountable for both informing and discussing with their female staff appropriate training opportunities. To reinforce this desired objective the Task Force further recommends:

THAT ALL MANAGEMENT AND SUPERVISORY JOB DESCRIPTIONS BE AMENDED TO INCORPORATE THE CRUCIAL ROLE MANAGERS AND SUPERVISORS ARE TO PLAY IN ACHIEVING GOVERNMENT'S AFFIRMATIVE ACTION PROGRAM WITH PARTICULAR EMPHASIS ON JOB COACHING AND THE REFERRAL OF EMPLOYEES TO TRAINING AND DEVELOPMENT OPPORTUNITIES.

The Task Force also notes with interest the improved participation rate of women in the Certificate Program in Public Administration that has resulted in the last three years. This Program is offered on behalf of both the

Provincial and Federal Governments by Memorial University. In the late 1970's the Public Service Commission actively promoted this Program through awareness sessions for female staff. A similar effort may now be required to better inform female staff of the range of training and development activities available to them. The Task Force recommends therefore:

> THAT AWARENESS SESSIONS BE HELD ON A REGULAR BASIS THROUGHOUT THE PUBLIC SERVICE TO ENSURE THAT ALL EMPLOYEES, AND IN PARTICULAR FEMALES, ARE FULLY AWARE OF THE TRAINING AND DEVELOPMENT OPPORTUNITIES AVAILABLE TO THEM.

In its consideration of the two major concerns expressed by individual female staff, the Task Force reviewed two important elements of Government's training and development program. The first was the accounting course programs which are supported by Government: the Chartered Accountant Program, the Certified General Accountant Program and the Registered Industrial Accountant Program. The second was the Certificate Program in Personnel Management, a six course program offered by the Public Service Commission

In all instances the participation rate of female staff is considerably below their overall level of representation in the Public Service. The Task Force, in acknowledging the critical role played by training and development in the career advancement of staff, therefore recommends:

> THAT WHEN FORMULATING ANNUAL AFFIRMATIVE ACTION PLANS FOR THEIR DEPARTMENTS, DEPARTMENT HEADS INCORPORATE OBJECTIVES RELATED TO THE IMPROVEMENT OF THE PARTICIPATION RATE OF FEMALE EMPLOYEES IN TRAINING AND DEVELOPMENT.

4.07.02 Career Development Courses

As a result of reviewing the results to date of the Accelerated Management Development Program, the Task Force has been impressed by the large numbers of capable female employees who wish to advance in their careers. To assist them in these efforts and their male colleagues as well, the Task Force encourages the Public Service Commission to offer more frequent Career Planning Workshops as well as to institute new courses in Resume Writing and Preparing for a Job Interview. This

initiative in training could be linked to a career counselling service, the need for which is addressed later in this Report.

As its final recommendation related to the staff training and development activity, the Task Force recommends:

THAT THE PUBLIC SERVICE COMMISSION INCREASE THE FREQUENCY OF ITS OFFERING OF THE CAREER PLANNING WORKSHOP AND INSTITUTE NEW COURSES IN RESUME WRITING AND JOB INTERVIEW SKILLS.

## 4.08 Career Planning and Counselling

Submissions to the Task Force on Affirmative Action expressed the need for career planning and counselling services for Public Service employees, particularly women. Female employees commented upon the lack of career paths, limited promotion opportunities, restricted career development potential and the frustration of being "trapped" in positions which are perceived as dead-ends. Women in clerical positions viewed their career development prospects as being particularly meagre. One woman told the Task Force,

> "I have found it very difficult to convince those in the system...that I can do more than just type...women employees must be permitted the right to take on a more responsible decision-making role...for those showing administrative talents, energy and initiatives, real opportunities and rewards should be there."

With an estimated forty percent of female Public Service employees occupying clerical positions, this frustration is widespread.

Career planning and career counselling are important components of Government's efforts to ensure equality of opportunity for all Public Service employees. The Task Force observes that this type of employee service is generally provided by large organizations and is compatible with the philosophy of fostering employee training and development and of encouraging promotion from within.

Government has already indicated recognition of the importance of career planning for Public Service employees. Order-in-Council 1042-'83 authorized the Public Service Commission to develop a Career Planning Program as a logical complement to the performance review process. Closely linked with performance review, career development can be fostered by job coaching carried out within Departments. However, in order to formalize the career development process and to provide the supports necessary for its success as a human resource planning program, the Task Force recommends that a Career Planning Unit be established within the Public Service Commission. Although its Act does not provide a specific mandate to offer career planning services, this function appears to fit logically with the Commission's staffing and training activities. Funds should be provided to establish two positions within the Unit, which will

offer career planning and career counselling services to all Public Service employees. As well as serving individual Public Service employees, this Unit should examine the use of bridging positions to allow the transition of both male and female employees from one career path to another. It should promote management development activities including job rotations, secondments and special projects for all employees and especially women. In co-operation with Treasury Board human resource planning personnel, it should identify personnel trends and career paths. It should act as a support to initiatives to increase the numbers of female employees in occupations where they are underrepresented. In co-operation with the Commission's Staff Development and Training Division, the Career Planning Unit should ensure the offering of Career Planning Workshops and special courses in interviewing skills and resume writing to all employees. Career Planning Unit staff should also support the overall implementation of affirmative action policy through a practical analysis of barriers to women's advancement in the Public Service from the Unit's particular perspective.

The Task Force on Affirmative Action therefore recommends the following:

THAT A CAREER PLANNING UNIT BE ESTABLISHED WITHIN THE PUBLIC SERVICE COMMISSION COMPRISED OF TWO NEW POSITIONS TO DEVELOP AND DELIVER A CAREER PLANNING PROGRAM FOR ALL PUBLIC SERVICE EMPLOYEES.

## 4.09 Language

The role of language in creating a perception of commitment to employment equity within the Newfoundland Public Service is an important one. Unintentional use of sexual bias in legislation, advertisements, publications, documents, memoranda, forms and other materials is a practice which has tended to perpetuate the notion that within the Newfoundland Public Service, male and female employees are not always viewed equally.

Government has already taken steps to ensure that gender specificity is removed from Provincial legislation. Section 23 (g) of The Interpretation Act states the following:

> "Words importing the masculine gender include the feminine gender and words importing the feminine gender include the masculine gender and words importing either gender may include corporations and other words of neuter gender;"

The January 1985 Report of the Review Committee on Newfoundland Legislation also notes that many of the Province's Acts refer specifically to nouns such as "men", "women", "husbands", and "widow", when "in the context of the legislation

there is no reason for the sexist term". The Report comments upon the predominant use of the pronoun "he", when "in the context there could be substituted a noun with no sexist reference". The Report goes on to state the following:

> "Since our Acts contain so many of these apparent violations (of The Canadian Charter of Rights and Freedoms), it is the Government's policy to correct these violations as legislation is amended from time to time and to ensure that all new legislation avoids, in as far as is possible, these violations."

The Task Force on Affirmative Action is in agreement with this policy and recommends that it be extended to other Government documents. The Task Force therefore recommends the following:

> THAT GOVERNMENT EXTEND ITS POLICY REGARDING UTILIZATION OF LANGUAGE FREE OF GENDER DESIGNATION TO ALL GOVERNMENT DOCUMENTS.

## 4.10 Sexual Harassment

A number of submissions received by the Task Force on Affirmative Action expressed concern about sexual harassment within the Newfoundland Public Service, perceiving it as a source of stress and in some cases, a barrier to advancement. Government has already taken steps to address this issue. Several collective agreements contain articles stating the agreement of the Employer and the Union "to use their best efforts to discourage sexual harassment in the workplace." In December of 1983 The Newfoundland Human Rights Code was amended to prohibit sexual harassment. Section 10.2 of the Code contains the following provisions:

> "(1) No person who is in a position to confer, grant or deny a benefit or advancement to another person shall engage in sexual solicitation or make a sexual advance to that person where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome.

(2) No person who is in a position to confer or deny a benefit or advancement to another person shall penalize, punish or threaten reprisal against that person for the rejection of a sexual solicitation or advance."

By virtue of this amendment, a forum for the adjudication of sexual harassment complaints has been established, in that persons may take their cases to the Newfoundland Human Rights Commission. Nevertheless, the Task Force is concerned that Government as an employer has not formulated a policy relating to sexual harassment in the workplace. The Task Force recommends that Treasury Board be directed to develop guidelines respecting sexual harassament for the guidance of managers and employees within the Newfoundland Public Service. The Task Force on Affirmative Action therefore recommends the following:

THAT TREASURY BOARD BE DIRECTED TO DEVELOP GUIDELINES FOR PUBLIC SERVICE EMPLOYEES REGARDING SEXUAL HARASSMENT.

## 4.11 Legislation

Section 15.1 of The Newfoundland Human Rights Code, which provides for the establishment of affirmative action programs, states the following:

> "On the application of any person the Commission may approve programs designed to prevent, reduce or eliminate disadvantages respecting services, facilities, accommodation or employment that may be or are suffered by any group of individuals where those disadvantages would be, or are based on or related to the race, religion, religious creed, sex, marital status, physical disability, mental disability, political opinion, colour, ethnic, national or social origin of members of that group."

The Task Force on Affirmative Action observes that while programs "to prevent, reduce or eliminate disadvantages" may be approved under the provisions of The Newfoundland Human

Rights Code, human rights legislation in other jurisdictions generally contains specific provisions for approval of special proactive measures. As a result, programs in other jurisdictions may be approved which are designed to "promote the welfare of any class of individuals", or to improve the opportunities of the members of the group. The Task Force is concerned that this proactive intent is not apparent in this Province's legislation, and to remove any doubt, recommends that The Newfoundland Human Rights Code be appropriately amended. The Task Force on Affirmative Action therefore recommends:

THAT SECTION 15.1 (1) OF THE NEWFOUNDLAND HUMAN RIGHTS CODE BE AMENDED TO CONFIRM GOVERNMENT'S INTENT THAT AFFIRMATIVE ACTION PROGRAMS OF A PROACTIVE NATURE MAY BE APPROVED.

## 4.12 Conclusion

The issues discussed in this Chapter are ones which are of great importance to the female employees in the Newfoundland Public Service. A number of practices which unintentionally inhibit the equitable representation of women in the Public Service have been identified, and recommendations of a practical nature made to facilitate appropriate change. As noted elsewhere in this Report, the remedies which the Task Force proposes will in the long-term benefit all employees including women.

Part Two of this Report substantiates the need for affirmative action and identifies a range of issues associated with the disproportionate representation of female employees in the Newfoundland Public Service. Part Three addresses the implementation of Government's Affirmative Action Program.

# PART THREE

# AFFIRMATIVE ACTION IMPLEMENTATION AND RECOMMENDATIONS

## CHAPTER 5 ACCELERATED MANAGEMENT DEVELOPMENT PROGRAM FOR WOMEN

An Accelerated Management Development Program for Women was authorized by Order-in-Council 703-'84 concurrent with the authority to establish the Task Force on Affirmative Action. One of the responsibilities of the Task Force was to assist and advise the Public Service Commission regarding its co-ordination of the Program.

The objective of this pilot Program is to prepare a group of female employees with demonstrated potential for promotion to or advancement within supervisory, management and/or professional positions. Completion of the Program, however, is not a guarantee of promotion, as each employee will still be required to compete for positions through the normal competitive process. The Program is to extend over an eighteen month period and will involve individual career counselling, job assignments under senior management supervision and training courses.

It was intended that each Department select, on the basis of merit, one female employee for participation in the

the Program. Applicants must have had at least five years of recognized service and demonstrated potential for advancement. Age, job level and geographic location were not barriers to selection for the Program.

In fulfilling its mandate, the Task Force provided assistance to the Public Service Commission in the further development of the Program. Approval of the Program as an affirmative action initiative was granted by the Human Rights Commission in accordance with The Newfoundland Human Rights Code.

In order to promote an understanding of the Program, the Public Service Commission, following consultation with the Task Force on Affirmative Action, conducted briefing sessions with departmental personnel. Five hundred fifty-four (554) female Public Service employees participated in this process. One hundred sixty-two (162) individuals subsequently submitted applications to their Deputy Ministers, who, using selection criteria developed by the Public Service Commission, have since determined their nominees.

With the selection of the participants for the Accelerated Management Development Program for Women completed, the Public

Service Commission, in accordance with the Program objectives, is designing the individual developmental activities best suited to the needs of each departmental representative.

The Task Force on Affirmative Action is impressed with the interest in and commitment to career development shown by female Public Service employees responding to this Program. The Task Force agrees that the accelerated development approach is a positive one and looks forward to favourable Program results. The Public Service Commission will be conducting an assessment of the Program at its conclusion.

The Task Force on Affirmative Action recommends the following regarding the Accelerated Management Development Program for Women:

> THAT THE PUBLIC SERVICE COMMISSION BE DIRECTED TO REPORT TO GOVERNMENT AT THE CONCLUSION OF THE CURRENT PROGRAM REGARDING ITS EVALUATION.

## CHAPTER 6 AFFIRMATIVE ACTION: POLICY AND PROGRAM DEVELOPMENT AND IMPLEMENTATION

The Task Force on Affirmative Action considers that its recommendation to Government concerning the manner of development and implementation of affirmative action policies and programs is extremely important. The effective practice of affirmative action within the Newfoundland Public Service requires not only Government's commitment, but the establishment of a structure within the Public Service which has affirmative action as its primary responsibility. The establishment of this structure would be tangible evidence of Government's commitment to equality of opportunity for both female and male employees in the Public Service. The Task Force considers that its mandate to recommend appropriate policy direction to Government would not have been fulfilled without inclusion of a recommendation regarding this area.

The Task Force devoted considerable attention to this matter. It examined the structures which facilitate the delivery of affirmative action programs in other jurisdictions. The history of human resource planning programs and employment equity initiatives within the Newfoundland Public Service was

reviewed, along with existing legislation which determines current responsibility for human resource planning within the Service. Comments and concerns submitted to the Task Force were also considered, as were the thoughts and expertise of members of the Task Force itself.

Other Jurisdictions

Where affirmative action exists as a component of human resource planning in other Canadian public sector jurisdictions, organizational responsibility varies widely.

Affirmative Action within the Government of Nova Scotia is administered by the Civil Service Commission, specifically through its Staffing Division.

Responsibility within the Government of New Brunswick is divided among the Treasury Board, the Women's Directorate located in the Cabinet Secretariat and the Departments.

Correspondence from the Province of Quebec describes an inter-departmental committee structure at the senior level established to address equality of employment for women in the Quebec Public Service, with specific program responsibilities assigned to the Public Service Commission.

In Ontario, those responsible for the implementation of Affirmative Action include the Management Board, the Women's Directorate and the individual Ministries. The Government of Ontario also has Affirmative Action Program Managers in each Ministry and an Affirmative Action Council which acts in an advisory capacity.

The development of the Government of Manitoba's Affirmative Action Program is overseen by a Steering Committee consisting of three government appointed Deputy Ministers and three representatives named by the Manitoba Government Employees Association. Departmental plans are developed by their respective joint union-management committees, and Deputy Ministers are accountable for their implementation. Support is provided by the Civil Service Commission and by an Affirmative Action Co-ordinator who reports to the Minister of Labour.

Saskatchewan's Affirmative Action Programs for women are administered by an Affirmative Action Unit located within the Public Service Commission. A co-ordinator in each Department monitors program progress at that level.

The other provinces and territories do not have formal affirmative action programs in place.

Inasmuch as the organization of the Newfoundland Public Service and its central agencies closely resembles that of the Federal Public Service, responsibility for affirmative action policy within the Federal Government is of special significance. Roles and responsibilities regarding affirmative action in the Federal Public Service are assigned to three groups: the Departments and Agencies, the Treasury Board Secretariat and the Public Service Commission.

Federal Departments and Agencies are responsible for developing affirmative action plans for submission to the Treasury Board Secretariat, for communicating and consulting with employees, unions and target groups and for ensuring the integration of affirmative action with human resource planning. Department Heads are accountable for the implementation of the affirmative action policy in the management of the human resources in their Departments and for the Department's contribution to the achievement of service-wide affirmative action objectives.

The Treasury Board Secretariat is accountable to the Board for ensuring the implementation of affirmative action policy in departments. It recommends to the Board service-wide direction necessary to achieve the overall policy objective;

provides technical expertise to Departments and analyzes their action plans; chairs central committees and provides secretariat services; and, in consultation and conjunction with the Public Service Commission, reviews personnel policies and procedures; develops affirmative action training programs for staff and maintains ongoing discussions with target group advisory committees.

The Public Service Commission of Canada is accountable for the application of affirmative action policy as it relates to the staffing function and other Commission personnel responsibilities. The Commission provides Departments with estimates of target group availability, advises regarding implementation of temporary special measures to achieve employment equity and reviews their action plans to ensure adherence to the merit principle. It provides career counselling, and ensures the identification of women with management potential and their consideration in the staffing process for intermediate and senior officer positions. In consultation and conjunction with the Treasury Board Secretariat, the Commission maintains ongoing discussions with target group advisory committees and reviews staffing policies.

Models for the development and implementation of affirmative action policy and programs in other Canadian public sector jurisdictions are indeed diverse.

Legislation

The Cabinet Submission proposing the establishment of the Task Force on Affirmative Action views affirmative action as but one component of a human resource planning system. This is consistent with the concept of affirmative action as it is implemented in other jurisdictions. Provincial legislation which assigns responsibility for human resource planning and/or affirmative action includes The Newfoundland Human Rights Code, The Department of Career Development and Advanced Studies Act, The Newfoundland Public Service Commission Act and The Financial Administration Act.

Section 15.1 of The Newfoundland Human Rights Code and Section 15 of The Canadian Charter of Rights and Freedoms provide for the establishment of affirmative action programs.

Section 7 of The Department of Career Development and Advanced Studies Act provides for a number of initiatives relating to the overall workforce of the Province, including affirmative action plans.

Section 16 (d) of The Newfoundland Public Service Commission Act states that the Commission shall "provide personnel planning

advisory services". Therefore, the Commission's involvement in the development of Government's affirmative action policy and program is limited. Implementation of specific affirmative action initiatives regarding recruitment and selection, and training and development logically falls to the Commission. Responsibility for overall development and implementation of human resource planning and affirmative action policies does not.

Sections 6 and 7 of The Financial Administration Act place responsibility for matters relating to human resource planning within the Newfoundland Public Service with Treasury Board. Section 6 (c) indicates that the Board shall act as a committee of the Executive Council on all matters relating to "personnel management in the public service...". Section 7 (2) (b) notes the Board may "determine the manpower requirements and provide for the allocation and effective utilization of manpower resources within the public service...". Section 7 (2) (f) adds that the Board may "provide for such other matters, including terms and conditions of employment not otherwise specifically provided for in this subsection, as the Board considers necessary for effective personnel management within the public service...".

Affirmative Action being a component of human resource planning, the Task Force recommends that responsibility for overseeing affirmative action policy and program development implementation be assigned to Treasury Board.

The Task Force on Affirmative Action therefore makes the following recommendation:

> THAT IN ACCORDANCE WITH ITS RESPONSIBILITIES IN HUMAN RESOURCE PLANNING AS OUTLINED IN THE FINANCIAL ADMINISTRATION ACT, OVERALL RESPONSIBILITY FOR THE DEVELOPMENT AND IMPLEMENTATION OF GOVERNMENT'S AFFIRMATIVE ACTION POLICY AND PROGRAMS FOR THE NEWFOUNDLAND PUBLIC SERVICE BE ASSIGNED TO THE TREASURY BOARD.

Implementation of affirmative action cannot, however, be successful unless it is done within the context of human resource planning. The Task Force on Affirmative Action has identified a serious gap in the co-ordination of human resource planning within the Newfoundland Public Service. Within the Service, it is not generally perceived that Treasury Board has overall responsibility for this area, despite the clear mandate contained within The Financial Administration Act. Human resource planning in the past has been incomplete and inconsistent with

responsibilities assigned to organizations not necessarily having the appropriate authority for initiatives in this area. Human resource planning is an essential process in any organization, and is as vital to organizational effectiveness as is financial planning. It is a sound approach by the employer to the effective management of all its human resources. The Task Force views it as most desirable that the necessary steps be taken to ensure that Treasury Board meets its responsibilities in this area.

Program Responsibility

Although the overall responsibility for the development and implementation of the Newfoundland Public Service affirmative action policy and programs should properly lie with Treasury Board, other bodies within the Service should have responsibilities as well. A useful model for the Province's Public Service is the structure in place within the Federal Public Service.

The Task Force recommends that Treasury Board be assigned the following specific responsibilities regarding affirmative action:

(a) Developing Government's affirmative action policy in consultation with the Public Service Commission, Departments, and any affirmative action advisory bodies.

(b) Providing input to the Public Service Commission regarding the development of affirmative action orientation training for members of the executive, Departmental Affirmative Action Co-ordinators, Government managers and union personnel.

(c) Reviewing the Departmental Affirmative Action Program plans by providing technical expertise and analysis of their objectives.

(d) Monitoring the effectiveness of these plans through a semi-annual review of progress, and providing appropriate feedback to Departments.

(e) Evaluating progress service-wide and making necessary recommendations to Government on a yearly basis.

(f) Reviewing Government's personnel policies and procedures as they affect the implementation of affirmative action policy.

(g) Providing secretariat services to affirmative action advisory bodies.

The number of Treasury Board staff currently allocated to the area of human resource planning is inadequate. An Affirmative Action Unit, developed through the creation and funding of new staff positions is required to carry out Treasury Board's responsibilities in the area of affirmative action. Adequate funding is also necessary to allow this Unit to carry out its mandate.

Submissions to the Task Force stressed that the full implementation of an affirmative action program in the Public Service will be achieved only through the provision of adequate human and financial resources.

The Task Force on Affirmative Action therefore makes the following recommendations:

i) THAT AN AFFIRMATIVE ACTION UNIT BE ESTABLISHED WITHIN THE TREASURY BOARD SECRETARIAT, DEVELOPED THROUGH THE CREATION OF NEW STAFF POSITIONS.

ii) THAT ADEQUATE FINANCIAL RESOURCES BE APPROVED SO THAT THIS UNIT CAN EFFECTIVELY CARRY OUT ITS MANDATE.

Although Treasury Board has overall responsibility for affirmative action, departmental commitment and accountability are essential to its success. The Task Force recommends that Deputy Ministers be accountable for the implementation of Government's affirmative action policy within their Departments. This should be formally recognized as a major responsibility by incorporating it into the Deputy Minister Appraisal Plan. Deputy Ministers should be responsible for ensuring that Department employees are aware of the Department's commitment to affirmative action, and of the program's purpose, program plan, and results. Part of the Deputy Minister's responsibility should include preparation of a yearly affirmative action program plan based on an analysis of the utilization and representation of women in the Department; this plan to be submitted to Treasury Board as a part of the Department's overall human resource planning strategy. It should include objectives, timetables and the means for achieving program success.

Affirmative Action Co-ordinators should be appointed to co-ordinate affirmative action activities within Departments.

These persons would provide support and advisory services regarding implementation and would report directly to their Deputy Ministers.

The Task Force on Affirmative Action therefore recommends the following:

i) THAT DEPUTY MINISTERS BE ACCOUNTABLE FOR THE IMPLEMENTATION OF AFFIRMATIVE ACTION POLICY IN THEIR DEPARTMENTS.

ii) THAT AS PART OF EACH DEPARTMENT'S OVERALL HUMAN RESOURCE PLANNING STRATEGY, AN AFFIRMATIVE ACTION PROGRAM PLAN BE SUBMITTED YEARLY TO TREASURY BOARD; THIS PLAN TO INCLUDE OBJECTIVES, TIMETABLES AND MEANS FOR ACHIEVING PROGRAM SUCCESS.

iii) THAT AFFIRMATIVE ACTION CO-ORDINATORS BE APPOINTED IN EACH DEPARTMENT TO CO-ORDINATE AFFIRMATIVE ACTION ACTIVITIES AND PROVIDE SUPPORT AND ADVISORY SERVICES REGARDING AFFIRMATIVE ACTION IMPLEMENTATION; THESE CO-ORDINATORS TO REPORT DIRECTLY TO THEIR DEPUTY MINISTERS.

The Task Force on Affirmative Action considers that the Public Service Commission should be accountable for the implementation of specified aspects of affirmative action policy because of its responsibilities in the areas of recruitment and selection and training and development, as well as its role in providing advisory human resource planning services. It is appropriate that the Commission be responsible for the application of affirmative action policy as it relates to the staffing function, as well as to its other personnel functions. The Task Force suggests that the Commission be involved in the review of departmental affirmative action program plans to ensure the merit principle is not compromised. The Commission should review and adapt the staffing process to ensure compatability with affirmative action objectives. Special training programs necessary to ensure the success of

affirmative action should be developed by the Commission.

The Task Force on Affirmative Action therefore recommends the following:

> THAT THE PUBLIC SERVICE COMMISSION BE RESPONSIBLE FOR THE IMPLEMENTATION OF THOSE COMPONENTS OF AFFIRMATIVE ACTION POLICY WHICH RELATE TO ITS MANDATE. THESE INCLUDE RETENTION OF THE MERIT PRINCIPLE, RECRUITMENT AND SELECTION, CAREER COUNSELLING, TRAINING AND DEVELOPMENT AND HUMAN RESOURCE PLANNING ADVISORY SERVICES.

The Task Force on Affirmative Action considers that the establishment of an Affirmative Action Council is necessary. This Council would be responsible for assisting Treasury Board, the Public Service Commission and the Departments in implementing affirmative action policy, and ensuring meaningful input from target group members and interested groups. Members of the Council should be appointed by Cabinet, and should include, but not necessarily be limited to, representation from union and management employee groups, a representative of the Minister

Responsible for the Status of Women, a representative of the Department of Career Development and Advanced Studies and a representative of the Departmental Affirmative Action Co-ordinators group. The Council should be chaired by the Chairman of the Public Service Commission. An early responsibility of the Chairman should be to, in consultation with the Secretary of Treasury Board, draft a Cabinet Submission suggesting the full composition of the Affirmative Action Council. The Council should consult with Treasury Board regarding policy development and program strategy and be involved in other activities related to affirmative action as noted earlier in this Chapter. It should report to the President of Treasury Board on a semi-annual basis regarding the implementation of affirmative action policy. The Task Force considers that membership on the Council could be expanded should affirmative action be implemented in the Public Service for target groups other than women.

The Task Force also recommends that the Departmental Affirmative Action Co-ordinators meet regularly as a group to review program progress and act as resources to one another. In addition to individually advising their Deputy Ministers, their collective comment made through the group's representation on the Affirmative Action Council would be useful in designing and

implementing practical approaches to affirmative action.

The Task Force on Affirmative Action therefore makes the following recommendation:

> THAT AN AFFIRMATIVE ACTION COUNCIL BE APPOINTED BY CABINET TO FULFILL MONITORING AND CONSULTATION ROLES REGARDING THE IMPLEMENTATION OF AFFIRMATIVE ACTION POLICY AND TO REPORT TO THE PRESIDENT OF TREASURY BOARD.

# CHAPTER 7 SUMMARY OF RECOMMENDATIONS

In fulfilling its mandate as established by Order-in-Council 703-'84, the Task Force on Affirmative Action makes the following recommendations. They are listed by subject category, in accordance with their placement in the Report.

## Target Group

The Task Force on Affirmative Action recommends that:

1. GOVERNMENT ESTABLISH AN AFFIRMATIVE ACTION PROGRAM FOR WOMEN.

2. THE COMMITMENT OF GOVERNMENT TO AFFIRMATIVE ACTION FOR WOMEN BE EXTENDED TO CROWN CORPORATIONS AND AGENCIES AND TO OTHER INSTITUTIONS RECEIVING SIGNIFICANT GOVERNMENT FUNDING.

3. GOVERNMENT HAVE AS A PRIORITY THE DEVELOPMENT OF AFFIRMATIVE ACTION POLICIES AND PROGRAMS FOR NATIVE PEOPLE AND PERSONS WITH DISABILITIES.

## Classification and Pay

The Task Force on Affirmative Action recommends that:

4. GOVERNMENT APPOINT A CONSULTANT TO RECOMMEND AN APPROPRIATE CLASSIFICATION SYSTEM FREE OF GENDER BIAS.

5. IN ITS IMPLEMENTATION OF A REVISED CLASSIFICATION SYSTEM, GOVERNMENT ENSURE THAT ANY IRRELEVANT JOB REQUIREMENTS ARE ELIMINATED.

## Equal Pay for Work of Equal Value

The Task Force on Affirmative Action recommends that:

6. GOVERNMENT DEFER CONSIDERATION OF IMPLEMENTATION OF EQUAL PAY FOR WORK OF EQUAL VALUE UNTIL A NEW CLASSIFICATION SYSTEM FREE OF GENDER BIAS IS IN PLACE.

Maternity Leave and Related Concerns

The Task Force on Affirmative Action recommends that:

7. SICK LEAVE BE AWARDED FOR ILLNESS REGARDLESS OF ITS ASSOCIATION WITH PREGNANCY DURING ANY TIME PRIOR TO THE SCHEDULED BEGINNING OF AN EMPLOYEE'S MATERNITY LEAVE.

8. GOVERNMENT CONSIDER PROVIDING SUPPLEMENTARY UNEMPLOYMENT INSURANCE BENEFITS FOR EMPLOYEES ON MATERNITY LEAVE.

9. SECTION 520 H.5.a.4. OF GOVERNMENT'S PERSONNEL ADMINISTRATION PROCEDURES BE AMENDED TO PROVIDE THAT THE COMMENCEMENT AND TERMINATION DATES OF MATERNITY LEAVE BE A MATTER OF NEGOTIATION BETWEEN THE EMPLOYEE AND THE DEPARTMENT AND THE EMPLOYEE'S REQUEST IS NOT TO BE UNREASONABLY DENIED.

10. GOVERNMENT CONSIDER PAYING EITHER:

    (a) THE EMPLOYER SHARE OF GROUP HEALTH AND LIFE INSURANCE PREMIUMS FOR UP TO A MAXIMUM OF SEVENTEEN (17) WEEKS OF AN EMPLOYEE'S MATERNITY LEAVE, OR

    (b) BOTH THE EMPLOYER AND EMPLOYEE SHARES OF GROUP HEALTH AND LIFE INSURANCE PREMIUMS FOR EMPLOYEES ON MATERNITY LEAVE, RECOVERING THE EMPLOYEE'S SHARE AND ANY PAYMENT IN EXCESS OF SEVENTEEN (17) WEEKS OF THE EMPLOYER'S SHARE DURING THE SIX (6) MONTH PERIOD FOLLOWING THE EMPLOYEE'S RETURN TO WORK.

11. PERIODS OF MATERNITY LEAVE BE ACCRUED AS SERVICE FOR SENIORITY PURPOSES BY ALL PUBLIC EMPLOYEES.

12. PROVISIONS REGARDING THE ACCRUAL OF SICK LEAVE AND ANNUAL LEAVE DURING MATERNITY LEAVE REMAIN AS THEY ARE.

13. GOVERNMENT CONSIDER THE EXTENSION TO ALL PUBLIC SERVICE EMPLOYEES OF ACCRUAL OF SERVICE DURING MATERNITY LEAVE FOR SALARY INCREMENTS AND SEVERANCE PAY.

14. GOVERNMENT CONSIDER MATCHING THE PREMIUMS PAID BY THE EMPLOYEE TO ALLOW THE CREDITING OF MATERNITY LEAVE AS PENSIONABLE SERVICE FOR ALL PUBLIC EMPLOYEES.

15. INFORMATION REGARDING TRAINING AND PROMOTIONAL OPPORTUNITIES BE PROVIDED TO EMPLOYEES ON MATERNITY LEAVE UPON WRITTEN REQUEST.

16. WHERE APPLICABLE, THE BENEFITS PROVIDED TO EMPLOYEES ON MATERNITY LEAVE BE EXTENDED TO EMPLOYEES ON ADOPTION LEAVE.

17. GOVERNMENT'S GROUP HEALTH AND INSURANCE PLAN REMAIN AS IT IS.

Bonuses and Allowances

The Task Force on Affirmative Action recommends that:

18. THE LABRADOR ALLOWANCE NOT BE RELATED TO MARITAL STATUS.

Family Responsibilities

The Task Force on Affirmative Action recommends that:

19. THE COMPASSIONATE LEAVE SECTION OF GOVERNMENT'S PERSONNEL ADMINISTRATION PROCEDURES BE RENAMED LEAVE WITH PAY FOR FAMILY RESPONSIBILITIES.

20. SECTION 520 H.4.b. OF GOVERNMENT'S PERSONNEL ADMINISTRATION PROCEDURES BE AMENDED TO PROVIDE FOR LEAVE OF UP TO FIVE (5) DAYS EACH YEAR TO ATTEND TO THE TEMPORARY CARE OF A SICK FAMILY MEMBER; NEEDS RELATED TO THE BIRTH OF THE EMPLOYEE'S CHILD; MEDICAL OR DENTAL APPOINTMENTS FOR DEPENDENT FAMILY MEMBERS;

MEETINGS WITH SCHOOL AUTHORITIES OR ADOPTION AGENCIES; NEEDS RELATED TO THE ADOPTION OF A CHILD, OR HOME OR FAMILY EMERGENCIES.

21. SECTIONS 520 H.5.b. (2) AND 520 H.5.b. (3) OF GOVERNMENT'S PERSONNEL ADMINISTRATION PROCEDURES BE AMENDED TO PROVIDE FOR EXTENDED LEAVE WITHOUT PAY TO ATTEND TO FAMILY RESPONSIBILITIES.

Child Care

The Task Force on Affirmative Action recommends that:

22. GOVERNMENT ENDEAVOUR TO PROVIDE CHILD CARE SERVICES FOR ITS EMPLOYEES WHEREVER PRACTICAL.

Employment Flexibility

The Task Force on Affirmative Action recommends that:

23. GOVERNMENT CONSIDER THE PRORATED PARTICIPATION OF PART-TIME EMPLOYEES IN ITS PENSION PLAN.

24. WHERE APPROPRIATE, THE OPTION OF JOB-SHARING WITH ALL BENEFITS PRORATED BE MADE AVAILABLE TO EMPLOYEES.

25. WHERE APPROPRIATE, THE OPTION OF FLEXTIME BE MADE AVAILABLE TO EMPLOYEES.

Recruitment, Selection and Promotions

The Task Force on Affirmative Action recommends that:

26. THE EXECUTIVE DEVELOPMENT COMMITTEE COMPILE, UP-DATE AND SUBMIT TO THE PREMIER ON A SEMI-ANNUAL BASIS INVENTORIES OF QUALIFIED PERSONS IN THE PUBLIC SERVICE FOR CONSIDERATION IN THE FILLING OF APPOINTMENTS MADE BY THE LIEUTENANT-GOVERNOR IN COUNCIL.

27. GOVERNMENT TAKE STEPS TO ENSURE THAT AN EXTENSIVE WORKFORCE ANALYSIS IS CONDUCTED TO IDENTIFY ANY FURTHER BARRIERS TO THE ADVANCEMENT OF WOMEN IN THE PUBLIC SERVICE.

Appointments to Boards, Commissions, Corporations and Other Organizations

The Task Force on Affirmative Action recommends that:

28. GOVERNMENT, WHERE IT HAS DISCRETIONARY POWER TO MAKE APPOINTMENTS TO BOARDS, COMMISSIONS, CORPORATIONS AND OTHER ORGANIZATIONS, MAKE EVERY ALTERNATE APPOINTMENT FEMALE UNTIL THE PERCENTAGE OF FEMALE APPOINTEES REACHES 40%.

29. THE SECRETARY OF THE SOCIAL POLICY COMMITTEE COMPILE THE NAMES OF QUALIFIED WOMEN FOR USE IN MAKING APPOINTMENTS TO BOARDS, COMMISSIONS, CORPORATIONS AND OTHER ORGANIZATIONS; THIS LIST TO BE UP-DATED AND CIRCULATED TO THE PREMIER AND MINISTERS ON A QUARTERLY BASIS.

Staff Training and Development

The Task Force on Affirmative Action recommends that:

30. THE ENTRANCE REQUIREMENTS TO ALL MANAGEMENT AND SUPERVISORY COURSES BE

REVIEWED BY THE PUBLIC SERVICE COMMISSION TO ENSURE THE REMOVAL OF ANY ARTIFICIAL BARRIERS.

31. THE PUBLIC SERVICE COMMISSION FOLLOWING CONSULTATION WITH THE AFFIRMATIVE ACTION COUNCIL DEVELOP PREPARATORY COURSES IN SUPERVISION AND MANAGEMENT FOR EMPLOYEES WITH POTENTIAL FOR ADVANCEMENT.

32. ALL MANAGEMENT AND SUPERVISORY JOB DESCRIPTIONS BE AMENDED TO INCORPORATE THE CRUCIAL ROLE MANAGERS AND SUPERVISORS ARE TO PLAY IN ACHIEVING GOVERNMENT'S AFFIRMATIVE ACTION PROGRAM WITH PARTICULAR EMPHASIS ON JOB COACHING AND THE REFERRAL OF EMPLOYEES TO TRAINING AND DEVELOPMENT OPPORTUNITIES.

33. AWARENESS SESSIONS BE HELD ON A REGULAR BASIS THROUGHOUT THE PUBLIC SERVICE TO ENSURE THAT ALL EMPLOYEES AND IN PARTICULAR FEMALES, ARE FULLY AWARE OF THE TRAINING AND DEVELOPMENT OPPORTUNITIES AVAILABLE TO THEM.

34. WHEN FORMULATING ANNUAL AFFIRMATIVE ACTION PLANS FOR THEIR DEPARTMENTS, DEPARTMENT HEADS INCORPORATE OBJECTIVES RELATED TO THE IMPROVEMENT OF THE PARTICIPATION RATE OF FEMALE EMPLOYEES IN TRAINING AND DEVELOPMENT.

35. THE PUBLIC SERVICE COMMISSION INCREASE THE FREQUENCY OF ITS OFFERING OF THE CAREER PLANNING WORKSHOP AND INSTITUTE NEW COURSES IN RESUME WRITING AND JOB INTERVIEW SKILLS.

Career Planning and Counselling

The Task Force on Affirmative Action recommends that:

36. A CAREER PLANNING UNIT BE ESTABLISHED WITHIN THE PUBLIC SERVICE COMMISSION COMPRISED OF TWO NEW POSITIONS TO DEVELOP AND DELIVER A CAREER PLANNING PROGRAM FOR ALL PUBLIC SERVICE EMPLOYEES.

Language

The Task Force on Affirmative Action recommends that:

37. GOVERNMENT EXTEND ITS POLICY REGARDING UTILIZATION OF LANGUAGE FREE OF GENDER DESIGNATION TO ALL GOVERNMENT DOCUMENTS.

Sexual Harassment

The Task Force on Affirmative Action recommends that:

38. TREASURY BOARD BE DIRECTED TO DEVELOP GUIDELINES FOR PUBLIC SERVICE EMPLOYEES REGARDING SEXUAL HARASSMENT.

Legislation

The Task Force on Affirmative Action recommends that:

39. SECTION 15.1 (1) OF THE NEWFOUNDLAND HUMAN RIGHTS CODE BE AMENDED TO CONFIRM GOVERNMENT'S INTENT THAT AFFIRMATIVE ACTION PROGRAMS OF A PROACTIVE NATURE MAY BE APPROVED.

Accelerated Management Development Program for Women

The Task Force on Affirmative Action recommends that:

40. THE PUBLIC SERVICE COMMISSION BE DIRECTED TO REPORT TO GOVERNMENT AT THE CONCLUSION OF THE CURRENT PROGRAM REGARDING ITS EVALUATION.

Affirmative Action: Policy and Program Development and Implementation

The Task Force on Affirmative Action recommends that:

41. IN ACCORDANCE WITH ITS RESPONSIBILITIES IN HUMAN RESOURCE PLANNING AS OUTLINED IN THE FINANCIAL ADMINISTRATION ACT, OVERALL RESPONSIBILITY FOR THE DEVELOPMENT AND IMPLEMENTATION OF GOVERNMENT'S AFFIRMATIVE ACTION POLICY AND PROGRAMS FOR THE NEWFOUNDLAND PUBLIC SERVICE BE ASSIGNED TO THE TREASURY BOARD.

42. AN AFFIRMATIVE ACTION UNIT BE ESTABLISHED WITHIN THE TREASURY BOARD SECRETARIAT, DEVELOPED THROUGH THE CREATION OF NEW STAFF POSITIONS.

43. ADEQUATE FINANCIAL RESOURCES BE APPROVED SO THAT THIS UNIT CAN EFFECTIVELY CARRY OUT ITS MANDATE.

44. DEPUTY MINISTERS BE ACCOUNTABLE FOR THE IMPLEMENTATION OF AFFIRMATIVE ACTION POLICY IN THEIR DEPARTMENTS.

45. AS PART OF EACH DEPARTMENT'S OVERALL HUMAN RESOURCE PLANNING STRATEGY, AN AFFIRMATIVE ACTION PROGRAM PLAN BE SUBMITTED YEARLY TO TREASURY BOARD; THIS PLAN TO INCLUDE OBJECTIVES, TIMETABLES AND MEANS FOR ACHIEVING PROGRAM SUCCESS.

46. AFFIRMATIVE ACTION CO-ORDINATORS BE APPOINTED IN EACH DEPARTMENT TO CO-ORDINATE AFFIRMATIVE ACTION ACTIVITIES AND PROVIDE SUPPORT AND ADVISORY SERVICES REGARDING AFFIRMATIVE ACTION IMPLEMENTATION; THESE CO-ORDINATORS TO REPORT DIRECTLY TO THEIR DEPUTY MINISTERS.

47. THE PUBLIC SERVICE COMMISSION BE RESPONSIBLE FOR THE IMPLEMENTATION OF THOSE COMPONENTS OF AFFIRMATIVE ACTION POLICY WHICH RELATE TO ITS MANDATE. THESE INCLUDE RETENTION OF THE MERIT PRINCIPLE, RECRUITMENT AND SELECTION, CAREER COUNSELLING, TRAINING AND DEVELOPMENT AND HUMAN RESOURCE PLANNING ADVISORY SERVICES.

48. AN AFFIRMATIVE ACTION COUNCIL BE APPOINTED BY CABINET TO FULFILL MONITORING AND CONSULTATION ROLES REGARDING THE IMPLEMENTATION OF AFFIRMATIVE ACTION AND TO REPORT TO THE PRESIDENT OF TREASURY BOARD.